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FILE NO. 98-0255

ORDINANCE NO. 101-98

(Government Funding)

RO#97205
SA#59

APPROPRIATING $275,240 FROM THE GENERAL FUND RESERVES AND FROM JAIL OVERCROWDING FINE FUND FOR THE RESOLVE TO STOP THE VIOLENCE PROJECT (RSVP), MENTOR COURT, AND COMMUNITY RESIDENTIAL TREATMENT BEDS FOR THE SHERIFF DEPARTMENT FOR FISCAL YEAR 1997-98, RESERVING $55,240 PENDING RECEIPT OF JAIL OVERCROWDING FINE FUNDS.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	UN-UNA General Unallocated	FCZ General City Responsibility	
Funding Sources			
097-097CM (*CON1GAGFAAA)	Board Reserve-Court Mentor Program	$100,000	
097-097SW (*CON1GAGFAAA)	Board Reserve-Stop the Violence Program	$120,000	
xxxxxxxxxxxxx	Jail Overcrowding Fines	$55,240	
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	SHF01 Sheriff Department	AKH Jail Programs	
Funding Uses			
001-01100 (060306)	Overtime		$18,000
021-02700 (060306)	Professional Services		$102,000

Mayor Willie L. Brown, Jr.

BOARD OF SUPERVISORS

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	SHF01 Sheriff Department	AKL Jail Alternative Programs	
021-02700 (060307)	Professional Services		$155,240
	Total	$275,240	$275,240

Section 2. Funds in the amount of $55,240 are reserved pending receipt of jail overcrowding fine funds and approval by the Controller's Office.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUND AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

n:excel\appro06SA#59

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0255

MAR 27 1998
Date Approved

Mayor

FILE NO. 98-0064 ORDINANCE NO. 102-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 330 IN THE LAIDLEY STREET AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 330

(Laidley Street)

District covering Laidley Street from the northerly line of Miguel Street to the southerly line of 30th Street, Laidley Street from the southerly line of Roanoke Street to the easterly line of Castro Street, Fairmount Street from the westerly line of Whitney Street to the easterly line of Laidley Street, Surrey Street from the westerly line of Castro Street to the southerly line of Thor Avenue, and Roanoke Street from the southerly line of Bemis Street to the northerly line of Laidley Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisor Medina

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: _____
Deputy City Attorney

APPROVED:

for _____
Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

_____
Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
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March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 98-0064

MAR 27 1998
Date Approved

Mayor

FILE NO. 98-0142 ORDINANCE NO. 103-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 331 IN THE TEXAS AND 19TH STREET AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 331

(Texas and 19th Street)

District covering Texas Street from the southerly line of 18th Street to the northerly line of 20th Street, Mississippi Street from the southerly line of 18th Street to the northerly line of 20th Street, 19th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street, 20th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisor Medina

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Boyajian
Deputy City Attorney

APPROVED:

for Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
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March 9, 1998	§	March 16, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	§	
Absent: Supervisors Bierman Katz Kaufman Yaki	§	Absent: Supervisor Newsom
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0142

MAR 2 7 1998
Date Approved

Willie L. Brown Jr.
Mayor

FILE NO. 98-0143 ORDINANCE NO. 104-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 332 IN THE DUNCAN/NEWBERG AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 332

(Duncan/Newberg)

District covering Duncan Street from the westerly line of Noe Street to easterly line of Douglass Street, Castro Street from the southerly line of 27th Street to dead end north of 28th Street, Newburg Street all.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisor Medina

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: _____
Deputy City Attorney

APPROVED:

_____
Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

_____
Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
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March 9, 1998	§	March 16, 1998
	§	
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Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	§	
	§	
Absent: Supervisors Bierman Katz Kaufman Yaki	§	Absent: Supervisor Newsom
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
98-0143

MAR 27 1998
Date Approved

Mayor

FILE NO. 98-0144 ORDINANCE NO. 105-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 333 IN THE SHOTWELL/MONTEZUMA AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 333

(Shotwell/Montezuma)

District covering Shotwell Street from the northerly line of Stoneman Street to the southerly line of Mirabel Street, Aztec Street from the westerly line of Shotwell Street to the northerly line of Coso Street, and Montezuma Street from the westerly line of Shotwell Street to the northerly line of Coso Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisor Medina

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
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March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0144

MAR 27 1998
Date Approved

Willie L. Brown Jr.
Mayor

FILE NO. 98-0243
(Government Funding)

ORDINANCE NO. 106-98
RO#97196
SA#07

APPROPRIATING $292,932 OF PUBLIC PROTECTION GRANT FUNDS TO PURCHASE NEW COMPUTER EQUIPMENT, OFFICE FURNITURE, AUTOMOBILES, LAW BOOKS AND FOR FACILITY MAINTENANCE FOR THE DISTRICT ATTORNEY FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Debit	Credit
Fund	**Department**	**Program**	
2S-PPF-SRC Public Protection Special Rev. Fund	DAT01 District Attorney	AIE Work Order and Grants	
Funding Sources			
Grant No.			
SFCOPS-96DA	COPs Program - AB3229		
450-48999 (040081)	Other State Grants & Subvention	$292,932	
Funding Uses			
091-0931G (DAPPFSRC931G)	Operating Transfer Out to 1G-AGF-AAA, General Fund		$292,932
	Total 2S-PPF-SRC	$292,932	$292,932
Funds	**Department**	**Program**	
1G-AGF-AAA General Fund	DAT01 District Attorney	AIA Felony Prosecution	
Funding Source			
910-9302R (DAAGFAAA302R)	Operating Transfer In from 2S-PPF-SRC	$292,932	

Department and Number	Source of Funds and Purpose of Appropriation	Debit	Credit
Funding Uses			
021-05411 (045007)	Local Share Grant Match		$7,163
021-03599 (045007)	Other Current Expenses (Internet)		$7,400
040-04921 (045007)	Data Processing Supplies		$8,500
040-04941 (045007)	Minor Furnishing		$39,000
060-06031 (045007)	Law Books		$5,000
060-06061 (045007)	Data Processing Equipment		$104,888
060-06029 (045007)	Automobiles (3)		$72,000
081-082WB (045007)	Services of Other Department - DPW-Building Repairs		$48,981
	Total	$292,932	$292,932

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUND AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
	$	
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0243

MAR 2 7 1998
Date Approved

Willie L. Brown Jr.
Mayor

FILE NO. 98-0244
(Government Funding)

ORDINANCE NO. 107-98
RO#97190
SA#64

APPROPRIATING $114,363 OF CITIZENS' OPTION FOR PUBLIC SAFETY (COPS) PROGRAM REVENUE TO FUND THE ACQUISITION, INSTALLATION AND EXPANSION OF VIDEO SURVEILLANCE SYSTEMS PROGRAM ON MUNI VEHICLES FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
2S-PPF-SRC	MYR13	CGD	
Public Protection	Mayor's Office-Public Safety	Criminal Justice	
Special Rev. Fund			
Funding Sources			
Grant			
SFCOPA-96MY	Cops Program - AB3229		
450-48999 (250288)	Other State Grants & Subventions	$114,363	
Funding Uses			
Project			
xxxxxxx	Video Surveillance System		
001-00500 (250288)	Temporary Salaries		$8,283
040-04000 (250288)	Materials and Supplies		$2,681
060-06000 (250288)	Equipment Purchase		$103,400
	Total	$114,363	$114,364

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0244

MAR 2 7 1998
Date Approved

Mayor

FILE NO. 98-0254 ORDINANCE NO. 108-98

(Government Funding)

RO#97207

SA#78

APPROPRIATING $208,400 FROM THE GENERAL FUND RESERVE FOR OVERTIME, AND PROFESSIONAL SERVICES TO CONTINUE THE RESOLVE TO STOP THE VIOLENCE (RSVP) PROGRAM AT THE SHERIFF'S DEPARTMENT, FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA	UN-UNA	FCZ	
General Fund	General Unallocated	General City Responsibility	
Funding Sources			
097-097GR (*CON1GAGFAAA)	General Reserve	$208,400	
Fund	**Department**	**Program**	
1G-AGF-AAA	SHF01	AKH	
General Fund	Sheriff Department	Jail Programs	
Funding Uses			
001-01100 (060306)	Overtime		$15,000
021-02700 (060306)	Professional Services		$193,400
	Total	$208,400	$208,400

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

Sup. Katz
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 9, 1998	March 16, 1998
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
Absent: Supervisors Bierman Katz Kaufman Yaki	Absent: Supervisor Newsom

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 98-0254

MAR 27 1998
Date Approved

Mayor

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FILE NO. 28-0374

ORDINANCE NO. 109-88

FILE NO. 98-0374 ORDINANCE NO. 109-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 339 IN THE SOUTH SLOPE OF BERNAL HILL AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 339

(Bernal South Slope)

District covering Cortland Ave. from Bocana St. to Peralta Ave., Eugenia St. from Ellsworth St. to dead end east, Powhattan St. from Ellsworth St. to end east, Bernal Heights Blvd. from Folsom St. (north side) to Ellsworth St., Chapman St. from Carver St. to Folsom St., Franconia St. (upper portion) from Rutledge St. to Esmeralda Ave., Esmeralda Ave. from Franconia St. to Alabama St., Alabama St. from Waltham St. to Esmeralda Ave., Mayflower St. from Carver St. to east end, Ellsworth St. from Bernal Heights Blvd. to Cortland Ave., Gates St. from Bernal Heights Blvd. to Cortland Ave., Folsom St. from Bernal Heights Blvd. to Cortland Ave., Banks St. from Bernal Heights Blvd. to Cortland Ave., Prentiss St. from Bernal Heights Blvd. to Cortland Ave., Nevada St. from Bernal Heights Blvd. to Cortland Ave., Nebraska St. from Powhattan St. to Cortland Ave., Rosencranz St. from Bernal Heights Blvd. to Powhattan St., Carver St. from Bernal Heights Blvd. to Powhattan St., Bradford St. from Esmeralda Ave. to Cortland Ave., Peralta Ave. from Esmeralda Ave. to dead end south, Franconia St. from

Supervisor Medina

Mayflower St. to Powhattan Ave., and (lower) Bernal Heights Blvd. from Bradford St. to Powhattan Ave.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires along a heavily traveled street and is being done in conjunction with other public improvements.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Bagjian
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
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March 23, 1998	$	March 30, 1998
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	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
	$	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0374

MAR 31 1998
Date Approved

Willie L. Brown Jr.
Mayor

FILE NO. 98-0375 ORDINANCE NO. 110-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 338 IN THE OCEAN AVENUE AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 338

(Ocean Avenue)

District covering Ocean Avenue from Mission Street to Junipero Serra Boulevard.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires along a heavily traveled thoroughfare and is being done in conjunction with other public improvements.

Supervisor Medina

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Bujajian
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
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March 23, 1998	$	March 30, 1998
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	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
	$	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0375

MAR 31 1998
Date Approved

Willie Brown Jr.
Mayor

FILE NO. 98-0376 ORDINANCE NO. 111-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 340 IN THE DOLORES STREET AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 340

(Dolores Street)

District covering on Dolores Street from Market Street to 20th Street and Dolores Street from 21st Street to San Jose Avenue.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires along a scenic and heavily traveled thoroughfare.

Supervisor Medina

BOARD OF SUPERVISORS

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Boyajian
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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BOARD OF SUPERVISORS

DOCUMENTS DEPT
APR 21 1998
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Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 23, 1998	March 30, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0376

MAR 31 1998
Date Approved

Mayor

[Casket Stores]

AMENDING SAN FRANCISCO PLANNING CODE SECTIONS 227, 790.62 AND 890.62, DEFINING MORTUARY, TO INCLUDE CASKET STORES AND OTHER RETAIL ESTABLISHMENTS THAT SELL OR OFFER FOR SALE EXCLUSIVELY FUNERARY GOODS.

Note: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 2 of the San Francisco Planning Code is hereby amended by amending Section 227(c), to read as follows:

227. OTHER USES. (a) Greenhouse or plant nursery.

(b) Truck gardening, horticulture.

(c) Mortuary establishment<u>, including retail establishments that predominantly sell or offer for sale caskets, tombstones, or other funerary goods</u>.

(d) Public structure or use of a nonindustrial character, when in conformity with the Master Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.

(e) Utility installation, public service facility, excluding service yard; provided that operating requirements necessitate location within the district.

(f) Public transportation facility, whether public or privately

owned or operated, when in conformity with the Master Plan, and which does not require approval of the Board of Supervisors under other provisions of law, and which includes:

(1) Off-street passenger terminal facilities for mass transportation of a single or combined modes including but not limited to aircraft, ferries, fixed- rail vehicles and buses when such facility is not commonly defined as a boarding platform, bus stop, transit shelter or similar ancillary feature of a transit system; and

(2) Landing field for aircraft.

(g) Public transportation facility, when in conformity with the Master Plan, other than as required in (f) of this Section or as in Sections 223 and 226 of this Code.

(h) Commercial wireless transmitting, receiving or relay facility, including towers, antennae, and related equipment for the transmission, reception, or relay of radio, television, or other electronic signals where:

(1) No portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article 2.5 of this Code, whichever is the lesser height; and

(2) Such facility, if closer than 1,000 feet to any R District (except for those R Districts entirely surrounded by a C-3, M or a combination of C-3 and M Districts), does not include a parabolic

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antenna with a diameter in excess of three meters or a composite diameter or antennae in excess of six meters. (See also Section 204.3.)

(i) Commercial wireless transmitting, receiving or relay facility, as described in Subsection 227(h) above, where:

(1) Any portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article 2.5 of this Code, whichever is the lesser height; or

(2) Such facility, if closer than 1,000 feet to any R District (except for those R Districts entirely surrounded by a C-3, M or combination of C-3 and M Districts), includes a parabolic antenna with a diameter in excess of three meters or a composite diameter of antennae in excess of six meters. (See also Section 204.3.)

(j) Sale or lease sign, as defined and regulated by Article 6 of this Code.

(k) General advertising sign, as defined and regulated by Article 6 of this Code.

(l) Access driveway to property in any C or M District.

(m) Planned Unit Development, as defined and regulated by Section 304 and other applicable provisions of this Code.

(n) Any use that is permitted as a principal use in any other C or M District without limitation as to enclosure within a building, wall or fence.

(o) Temporary uses, as specified in and regulated by Sections 205 through 205.2 of this Code. (See Section 212(a).)

(p) Subject to Section 233(a), live/work units, provided that one or more arts activities as defined in Section 102.2 of this Code are the primary nonresidential use within the unit and that other nonresidential activities are limited to those otherwise permitted in the district or otherwise conditional in the district and specifically approved as a conditional use.

(q) Subject to Section 233(a), live/work units not included above but satisfying the conditions of Section 233(b) of this Code.

(r) Arts activities.

Section 2. Chapter 7 of the San Francisco Planning Code is hereby amended by amending Section 790.62, to read as follows:

SEC. 790.62. MORTUARY. A retail use which provides funeral services, funeral preparation, or burial arrangements, <u>including retail establishments that predominantly sell or offer for sale caskets, tombstones, or other funerary goods</u>.

Section 3. Article 8 of the San Francisco Planning Code is hereby amended by amending Section 890.62, to read as follows:

SEC. 890.62. MORTUARY. A retail use which provides funeral services, funeral preparation, or burial arrangements, <u>including retail establishments that predominantly sell or offer for sale caskets, tombstones, or other funerary goods</u>.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Ilene Dick

ILENE DICK

Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-97-16

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

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FILE NO. 98-0110 ORDINANCE NO. 113-98

[Hotel Tax Exemption]

AMENDING ARTICLE 7 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (TRANSIENT OCCUPANCY TAX) BY AMENDING SECTION 506, TO RAISE THE RENT LEVELS THAT QUALIFY FOR EXEMPTION FROM THE TAX; THIS ORDINANCE TO EXPIRE JULY 1, 2000.

Note: Additions and substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 7 of Part III of the San Francisco Municipal Code is hereby amended by amending Section 506, to read as follows:

SEC. 506. EXEMPTIONS. No tax shall be imposed hereunder:

(a) Upon a permanent resident.

(b) Upon a corporation or association having a formally recognized exemption from income taxation pursuant to Section 501(c) or 501(d) or 401(a) of Title 26 of the United States Code as qualified by Sections 502, 503, 504 and 508 of Title 26 of the United States Code.

(c) Where the rent is less than at the rate of $30 (($20)) a day or $100 (($85)) per week.

/ / /

/ / /

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/ / /

/ / /

/ / /

SUPERVISORS KAUFMAN, TENG, NEWSOM

Section 2. **Sunset Clause.** The provisions of this ordinance shall expire automatically, unless otherwise extended or amended by the Board of Supervisors, effective July 1, 2000. The purpose for placing a sunset clause in this ordinance is to require the Board of Supervisors to review the implementation of this ordinance, and to consider whether the implementation of the ordinance will have had any adverse impact on patrons of hotels that are affected by this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: THOMAS J. OWEN
Deputy City Attorney

DOCUMENTS DEPT.
APR 2 1 1998

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 16, 1998	$	March 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Teng	$	Brown Katz Kaufman Medina Newsom
Yaki Yee	$	Teng Yaki Yee
	$	
Absent: Supervisor Newsom	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0110

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

FILE NO. 98-0253 ORDINANCE NO. 114-98

[Management Agreement]

APPROVING FORM OF THE CIVIC CENTER PLAZA GARAGE MANAGEMENT AGREEMENT AND BID DOCUMENTS, AND AUTHORIZING AND URGING THE DIRECTOR OF PROPERTY TO ADVERTISE AN INVITATION FOR BIDS FOR MANAGEMENT OF THE CIVIC CENTER PLAZA GARAGE USING THE APPROVED BID DOCUMENTS.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. Findings. The City and County of San Francisco wishes to enter into a management agreement for operation of the Civic Center Plaza Garage for a five-year term commencing on or after July 1, 1998.

The members of the Parking Authority Commission approved and adopted bid documents to be used in connection with the call for bids for the management agreement of the Civic Center Plaza Garage, and authorized the Director of Property to call for bids for said management agreement pursuant to its Resolution No. 101-98-PA adopted on February 3, 1998.

Section 2. Approval of Documents. That the Board of Supervisors of the City and County of San Francisco hereby approve and adopt the following bid documents for management of the Civic Center Plaza Garage in substantially the form that are on file in the office of the Clerk of the Board of Supervisors in File No. 98-0253:

(Real Estate)

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Prequalification Questionnaire
4. Form of Civic Center Plaza Garage Management Agreement.

Section 3. That the Director of Property is authorized and urged to advertise an invitation for bids for the Civic Center Plaza Garage Management Agreement using documents in substantially the form approved and adopted pursuant to this Ordinance.

Section 4. That the Director of Off-Street Parking may make certain modifications, changes or additions to the bid documents, which the Director of Off-Street Parking may deem necessary or advisable upon consultation with legal counsel.

Section 5. That the Controller, the Treasurer, the Director of Property and the Director of Off-Street Parking are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents necessary or advisable to carry out this Ordinance.

RECOMMENDED:

John Barner

Director, Parking Authority

Director of Property

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

By: Loretta M. Giorgi

Deputy City Attorney

DOCUMENTS DEPT
APR 24 1998

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 16, 1998	$	March 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Teng	$	Brown Katz Kaufman Medina Newsom
Yaki Yee	$	Teng Yaki Yee
	$	
Absent: Supervisor Newsom	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
98-0253

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

FILE NO. 98-0257

ORDINANCE NO. 115-98
RO#97209

Settlement of Lawsuit

AUTHORIZING SETTLEMENT OF LITIGATION OF SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCAL 790 AND ERNESTINE CADE-HILL AND THE CITY AND COUNTY OF SAN FRANCISCO FOR $27,415.85.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City of the San Francisco is hereby authorized to settle the action entitled "Cade-Hill, et al., v. City and County of San Francisco, et al.," by the payment of $27,415.85.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

DARREN W. LEE
Deputy City Attorney

RECOMMENDED:

Rent Stabilization Board

Joe Grubb, Deputy Director for
Rent Stabilization Board

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

1G-AGF-AAA 97-09-65
975042 05311 $27,415.85

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0257

4/2/98
Date Approved

Mayor

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FILE NO. 98-0280 ORDINANCE NO. 116-98

RO#97210

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF RONALD MADARANG AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $52,250.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Ronald Madarang, et al., v. City and County of San Francisco, et al., San Francisco Superior Court No. 981-749 by the payment of $52,250.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $52,250.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0280

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

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FILE NO. 98-0282 ORDINANCE NO. 117-98

RO#97211

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF RHONDA COLLINS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $1,000,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Rhonda Collins, et al., v. City and County of San Francisco, et al., United States District Court No. C93-0741 by the payment of $1,000,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRED LAU
Chief of Police

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

APPROVED:

Secretary
Police Commission

1G-AGF-AAA 38-00-00
385036 05311 $1,000,000.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
March 16, 1998	§	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0282

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

DOCUMENTS DEPT
APR 2 1 1998

FILE NO. 98-0283 ORDINANCE NO. 118-98

RO#97212

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROBERT PINCKNEY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $83,835.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Robert Pinckney, et al., v. City and County of San Francisco, et al., United States District Court No. C96-0919 by the payment of $83,835.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRED LAU
Chief of Police

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

APPROVED:

SECRETARY
Police Commission

1G-AGF-AAA 38-00-00
385036 05311 $83,835.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0283

4/2/98
Date Approved

acting Mayor

DOCUMENTS DEPT.
APR 2 1 1998

3/11/98 - As amended in Committee.

FILE NO. 98-0285

ORDINANCE NO. 119-98

(Government Funding)

AND THE DELETION OF THE POSITION OF LIEUTENANT III

APPROPRIATING AND RESCINDING $4,580 ~~$6,635~~ FOR SALARIES FOR THE CREATION OF THE POSITION OF DIRECTOR OF POLICE PSYCHOLOGY AT THE POLICE DEPARTMENT FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA	PO-POL	ACM	
General Fund	Police	Operational Support	
Funding Sources			
001-00200 (385030)	Uniform Salaries Police	$4,580 ~~$6,635~~	
Fund	**Department**	**Program**	
1G-AGF-AAA	PO-POL	ACM	
General Fund	Police	Operational Support	
Funding Uses			
001-00200 (385030)	Uniform Salaries Police		$4,580 ~~$6,635~~
	Total	$4,580 ~~$6,635~~	$4,580 ~~$6,635~~

BOARD OF SUPERVISORS

3/11/98 jlb

Section 2. Funds are appropriated for the creation of one (1) position and deletion of one position by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 98-0286) as follows:

Class No.	Classification Title	Rate	No. of Positions Created
Program: ACM - Operational Support			
Index Code : 385030; Sub-Object - 00200			
Q-90	Director of Police Psychology	3449B3449	1
Q-62	Lieutenant III	2895B2895	-1
			0

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY:

DEPARTMENT OF HUMAN RESOURCES

BY:
ANDREA R. GOURDINE, DIRECTOR

n:\excel\appro 38SA#79

BOARD OF SUPERVISORS

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PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
March 16, 1998	§	March 23, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	
Absent: Supervisor Newsom	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0285

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

3/11/98 - As amended in Committee.

FILE NO. 98-0286 ORDINANCE NO. 120-98

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 18

AMENDING ORDINANCE NO. 307-97 (ANNUAL SALARY ORDINANCE, 1997/98) REFLECTING
1/98 AND THE DELETION OF ONE POSITION
THE CREATION OF ONE NEW POSITION IN THE SAN FRANCISCO POLICE DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 307-97, (Annual Salary Ordinance, 1997/98) are hereby amended so that the same shall read as follows:

Department: POL Police
Program: ACM Operations and Administration
Sub-Fund: 1G AGF AAA GF-Non-Project-Controlled

Amendment	No. Pos.	Class and Item No.	Compensation Schedule
1.00 Added	1.00	Q 90 Director of Police Psychology.....SC	$3449B3449
1/98			
1.00 Deleted	1.00	Q62 Lieutenant III.....SC	$2895B2895

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 18

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0286

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

DOCUMENTS DEPT
APR 21 1998

FILE NO. 98-0312 ORDINANCE NO. 121-98

[Settlement of Litigation]

AUTHORIZING SETTLEMENT OF LITIGATION BY THE CITY AND COUNTY OF SAN FRANCISCO AGAINST KAREN FREEMAN BY ACCEPTING CONSIDERATION IN THE TOTAL AMOUNT OF $70,000 PAYABLE IN CASH AND FILING SATISFACTION OF JUDGMENT.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Tax Collector Attorney in the Treasurer/Tax Collector Department is hereby authorized and directed to settle the controversy in the action City and County of San Francisco v. Karen Freeman, San Francisco Superior Court No. 989835 by accepting payment of $70,000 in cash, hand-delivered within 3 business days from date of enactment of this ordinance.

Section 2. After payment of the amount specified in Section 1 within 3 business days of enactment of this ordinance, the Tax Collector Attorney is directed to prepare and file a satisfaction of judgment in the action CCSF v. Karen Freeman, San Francisco Superior Court No. 989835 thereby terminating all litigation in this case. Time is of the essence in this settlement.

RECOMMENDED BY:

RICHARD A. SULLIVAN
Tax Collector

APPROVED BY:

SUSAN LEAL
Treasurer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Name:
Deputy City Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
March 16, 1998	§	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0312

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

DOCUMENTS DEPT
APR 21 1998

FILE NO. 98-0319 ORDINANCE NO. 122-98

RO#97214

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF EMILY JEAN LANDSVERK AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $4,000,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Emily Jean Landsverk, v. City and County of San Francisco, et al., Superior Court No. 985-460 by the payment of $4,000,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $4,000,000.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 16, 1998	March 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Newsom	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0319

4/2/98
Date Approved

acting Mayor

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APR 21 1998
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 98-0323
(Government Funding)

ORDINANCE NO. 123-98
RO#97218
SA#77

APPROPRIATING $11,390,709 OF COURTHOUSE CONSTRUCTION REVENUE FUND FOR PROFESSIONAL SERVICES AND DEBT SERVICE AT THE TRIAL COURTS FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
2S-CTF-APR Courts' Special Rev. Fund	CRT08 Trial Courts	AMN Court House Construction	
Funding Source			
Project			
CMC700	Courthouse Construction		
600-60102 (110003)	Court Filing fees & Surcharge	$11,390,709	
Funding Uses:			
Project			
CMC700	Courthouse Construction		
021-02700 (110042)	Professional Services		$11,390,709
	Total	$11,390,709	$11,390,709

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading
March 16, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee

Absent: Supervisor Newsom

Finally Passed
March 23, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
98-0323

4/2/98
Date Approved

[signature]
acting Mayor

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APR 21 1998
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FILE NO. 98-0293 ORDINANCE NO. 124-98

[Street Flower Markets]

AMENDING ARTICLE 5, SECTION 155, OF THE PUBLIC WORKS CODE TO ADD TO THE MARKET STREET FLOWER MARKET THE LOCATION ON THE EAST SIDEWALK OF MONTGOMERY STREET, AT MARKET STREET, WITHIN 50 FEET SOUTH OF THE NORTH PROPERTY LINE OF POST STREET.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 5 of the Public Works Code is hereby amended by amending Section 155 to read as follows:

Sec. 155. DESIGNATION OF LOCATIONS - PROVISO. Sidewalk flower-vending stands shall be located within the following designated street flower market areas upon the sidewalks of the City and County of San Francisco at the curb or building line.

The Grant Avenue Street Flower Market

On the west sidewalk of Grant Avenue within 100 feet south of the southerly line of Geary Street.

On the east sidewalk of Grant Avenue within 100 feet south of the southerly line of Post Street.

SUPERVISOR KAUFMAN

The Stockton Street Flower Market

On the west sidewalk of Stockton Street within 100 feet of the southerly line of Geary Street.

On the east sidewalk of Stockton Street within 100 feet south of the southerly line of Geary Street.

On the west sidewalk of Stockton Street within 100 feet north of the northerly line of Ellis Street.

On the east sidewalk of Stockton Street within 100 feet north of the northerly line of O'Farrell Street.

On the north sidewalk of Post Street within 50 feet west of 250 Post Street.

The Powell Street Flower Market

On the east sidewalk of Powell Street between 25 feet and 100 feet south of the southerly line of Geary Street.

On the west sidewalk of Powell Street within 100 feet north of the northerly line of Eddy Street.

The Emporium Street Flower Market

On the south sidewalk of Market Street facing the location of 835 Market Street.

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The Post Street Flower Market

On the north side of Post Street, east of Powell Street within 200 feet east of the easterly property line of Powell Street.

The Upper Market Street Flower Market

On the north sidewalk of Sixteenth Street within 100 feet south of the southerly line of Market Street.

The Market Street Flower Market

On the south sidewalk of Market Street facing the location of 101 Market Street.

On the south sidewalk of Market Street facing the location of 215 Market Street.

On the south sidewalk of Market Street within 100 feet of the west line of 5th Street.

On the east sidewalk of Montgomery Street, at Market Street, within 50 feet south of the north property line of Post Street.

The Columbus Avenue and Powell Street Flower Market

On the northwestern end of Marini Park on Columbus Avenue and Powell Street.

The Harvey Milk Plaza Flower Market

On the west sidewalk of Castro Street north of the main entrance to the Harvey Milk Plaza Muni Metro Station.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
March 23, 1998	§	March 30, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman	§	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	§	Brown Kaufman Medina Newsom Teng
Teng Yaki Yee	§	Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0293

4/2/98
Date Approved

Barbara Kaufman
acting Mayor

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FILE NO. 98-0321
(Government Funding)

ORDINANCE NO. 125-98

RO#97215
SA#80

APPROPRIATING $1,450,000 FOR CAPITAL IMPROVEMENT PROJECTS - RENOVATION OF VARIOUS SOCCER FIELDS AND THE DEVELOPMENT OF KING POOL FOR THE DEPARTMENT OF RECREATION AND PARK FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	REC0308 Recreation & Park-3 Com Park	ECH 3 Com Park	
Funding Source			
120-12910 (REC055541)	Admissions Tax	$293,000	
350-35331 (REC055541)	Rentals - Candlestick Park	$737,000	
Program			
EAE - Neighborhood Services			
350-35218 (REC052308)	St. Mary's Garage	$171,000	
350-35219 (REC052308)	Union Square Garage	$164,000	
350-35210 (REC052308)	Civic Center Garage	$85,000	
Funding Uses			
095-0951G (xxxxxxxxxxx)	Intrafund Transfer Out to 1G-AGF-AAP; General Fund Annual Project		$1,450,000
	Total	$1,450,000	$1,450,000

BOARD OF SUPERVISORS

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAP General Fund - Annual Project	REC0201 Recreation and Park - Administration	EIA Recreation & Park Administration	
Funding Source			
950-9501G (xxxxxxxxxx)	Intrafund Transfer In from 1G-AGF-AAA - General Fund Annual Appropriation	$1,450,000	
Funding Uses:			
Project			
xxxxxxxxxxxxx			
067-06700 (REC620898)	Bldgs., Structures and Improv't. Project - Budget		$1,000,000
06F-06F00 (REC620898)	Facilities Maintenance		$450,000
	Total	$1,450,000	$1,450,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD HARRINGTON
CONTROLLER

BY _____

BOARD OF SUPERVISORS

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cc

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
March 23, 1998	§	March 30, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0321

APR - 9 1998
Date Approved

Mayor

FILE NO. 98-0320
(Government Funding)

ORDINANCE NO. 126-98
RO#97198
SA#60A&B

APPROPRIATING $33,000,000 IN MEDICAL REVENUES FOR SAN FRANCISCO GENERAL HOSPITAL'S PARTICIPATION IN THE SB 855 DISPROPORTIONATE SHARE PAYMENT PROGRAM FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5H-AAA-AAA	HG-HGH	DIH	
SFGH-Operating Fd.	San Francisco General Hospital	Acute Care - Hospital	
Funding Sources			
600-65902 (HGH1HFI00101)	Medi-Cal Net Revenue	$33,000,000	
Funding Uses			
091-0931G (HGAAAAAA931G)	Operating Transfer Out to 1G-AGF-AAA, General Fund		$33,000,000
	Total Hospital Operating Fund	$33,000,000	$33,000,000
Fund	**Department**	**Program**	
1G-AGF-AAA	HPH-HA01	DHA	
General Fund	Public Health-Administration	Central Administration	
910-9305H (HCAGFAAA305H)	Operating Transfer In from 5H-AAA-AAA, SFGH Operating Fund	$33,000,000	
021-03500 (HCHACEXECTGF)	Other Current Expenses		$33,000,000
	Total General Fund	$33,000,000	$33,000,000

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

n:\ascot\approv\86ea077

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: [signature]

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading

March 23, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

Finally Passed

March 30, 1998

Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee

Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0320

APR 1 0 1998
Date Approved

Mayor

FILE NO. 98-0423 ORDINANCE NO. 127-98

[Settlement of Lawsuit]

AUTHORIZATION OF SETTLEMENT OF THE LITIGATION ENTITLED CARPENTER V. CITY AND COUNTY OF SAN FRANCISCO, IN ACCORDANCE WITH THE SETTLEMENT AGREEMENT ON FILE WITH THE CLERK OF THE BOARD, INCLUDING THE PAYMENT OF $572,815.46 IN ATTORNEY'S FEES AND COSTS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the court action entitled Carpenter v. City and County of San Francisco, United States District Court for the Northern District of California, Case No. C-90-1836 MMC, in accordance with the terms of the Settlement Agreement on file with the Clerk of the Board of Supervisors in File No. 98-0423, including the payment of $572,815.46 to plaintiffs' attorneys in attorney's fees and costs.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

MARIAM M. MORLEY
Deputy City Attorney

FUNDS AVAILABLE:

CONTROLLER

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

JOEL ROBINSON
Acting General Manager

RECREATION AND PARK COMMISSION

MARGARET MCARTHUR, SECRETARY
Resolution NO. 98-03-035 Dated 3/18/98

Supervisor Kaufman
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 30, 1998	April 6, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee
Absent: Supervisor Katz	Absent: Supervisors Bierman Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0423

APR 10 1998
Date Approved

Mayor

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100 Larkin Street
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FILE NO. 98-336 Amendment of the Whole 3/26/98 ORDINANCE NO. 128-98

[Local Implementation of CEDAW]

AMENDING PART ONE OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY ADDING CHAPTER 12K SETTING FORTH THE LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW), DESIGNATING THE COMMISSION ON THE STATUS OF WOMEN AS THE LOCAL AGENCY IMPLEMENTING AND MONITORING CEDAW IN SAN FRANCISCO, REQUIRING THE COMMISSION ON THE STATUS OF WOMEN TO CONDUCT GENDER ANALYSES OF DESIGNATED DEPARTMENTS TO IDENTIFY AREAS OF DISCRIMINATION AGAINST WOMEN AND GIRLS, REQUIRING THE COMMISSION ON THE STATUS OF WOMEN TO DEVELOP AN ACTION PLAN TO REDRESS DISCRIMINATION AGAINST WOMEN AND GIRLS, AND ESTABLISHING A CEDAW TASK FORCE TO ASSIST IN IMPLEMENTING THE ORDINANCE.

Note: This entire chapter is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 12K, to read as follows:

CHAPTER 12K

Local Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Section 12K.1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

(a) The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international human rights

treaty, provides a universal definition of discrimination against women and brings attention to a whole range of issues concerning women's human rights. Countries that ratify CEDAW are mandated to condemn all forms of discrimination against women and girls and to ensure equality for women and girls in the civil, political, economic, social and cultural arenas. The United Nations General Assembly adopted CEDAW in 1979 and President Carter signed the treaty on behalf of the United States in 1980, but the United States Senate has not yet ratified CEDAW.

(b) On October 30, 1997, a consortium of community organizations, the Commission on the Status of Women, the Human Rights Commission and Board of Supervisors President Barbara Kaufman held a hearing on the local implications of CEDAW. The testimony at the hearing demonstrated that women and girls continue to face discrimination in the areas of economic development and employment, violence against women and girls, and health care. On November 10, 1997, the Board of Supervisors adopted resolution number 1021-97, supporting the local implementation of the underlying principles of CEDAW and urging the United States Senate to ratify CEDAW. On November 17, 1997, Mayor Willie Brown approved resolution number 1021-97.

(c) There is a continued need for the City and County of San Francisco to protect the human rights of women and girls by addressing discrimination, including violence, against them and to implement, locally, the principles of CEDAW. Adherence to the

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principles of CEDAW on the local level will especially promote equal access to and equity in health care, employment, economic development and educational opportunities for women and girls and will also address the continuing and critical problems of violence against women and girls. There is a need to analyze the operations of departments to identify discrimination in, but not limited to, employment practices, budget allocation and the provision of direct and indirect services and, if identified, to remedy that discrimination. In addition, there is a need to work toward implementing the principles of CEDAW in the private sector.

(d) There is a need to strengthen effective national and local mechanisms, institutions and procedures and to provide adequate resources, commitment and authority to: 1) advise on the impact of all government policies on women and girls; 2) monitor the situation of women comprehensively; and 3) help formulate new policies and effectively carry out strategies and measures to eliminate discrimination. The Commission on the Status of Women shall be designated as the implementing and monitoring agency of CEDAW in the City and County of San Francisco.

Section 12K.2 LOCAL PRINCIPLES OF CEDAW. It shall be the goal of the City and County of San Francisco to implement the principles underlying the Convention on the Elimination of All Forms of Discrimination Against Women in section 12K.5 by addressing discrimination against women and girls in areas including economic development, violence against women and girls and health care. The

City and County of San Francisco shall ensure that the City does not discriminate against women in areas including employment practices, allocation of funding and delivery of direct and indirect services. The City and County of San Francisco shall conduct gender analyses, as described in section 12K.3, to determine what, if any, city practices and policies should change to implement the principles of CEDAW.

"Discrimination against Women" shall include, but not be limited to, any distinction, exclusion or restriction made on the basis of sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a bases of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty by family, community or government.

(a) Economic Development.

(1) The City and County of San Francisco shall take all appropriate measures to eliminate discrimination against women and girls in the city of San Francisco in employment and other economic opportunities, including, but not limited to, ensuring:

(A) the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment and the right to receive access to and vocational training for nontraditional jobs;

(B) the right to promotion, job security and all benefits and conditions of service, regardless of parental status, particularly encouraging the appointment of women to decisionmaking posts, city revenue generating and managing commissions and departments, and judicial positions;

(C) the right to equal remuneration, including benefits and to equal pay in respect to work of equal value;

(D) the right to the protection of health and safety in working conditions, including supporting efforts not to purchase sweatshop goods, regular inspection of work premises, and protection from violent acts at the workplace.

(2) The City and County of San Francisco shall encourage and, where possible, fund the provisions of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities, paid family leave, and family-friendly policies.

(3) The City and County of San Francisco shall encourage the use of public education and all other available means to urge financial

institutions to facilitate women's access to bank accounts, loans, mortgages, and other forms of financial services.

(b) Violence Against Women and Girls.

(1) The City and County of San Francisco shall take and diligently pursue all appropriate measures to prevent and redress sexual and domestic violence against women and girls, including, but not limited to:

(A) police enforcement of criminal penalties and civil remedies, when appropriate;

(B) providing appropriate protective and support services for survivors, including counseling and rehabilitation programs;

(C) providing gender sensitive training of city employees regarding violence against women and girls, where appropriate; and

(D) providing rehabilitation programs for perpetrators of violence against women or girls, where appropriate.

The City and County of San Francisco shall not discriminate on the basis of race, ethnicity, culture, language or sexual orientation, when providing the above supportive services.

(2) It shall be the goal of the City and County of San Francisco shall take all necessary measures to protect women and girls from sexual harassment in their places of employment, school, public transportation, and any other places where they may be subject to harassment. Such protection shall include streamlined and rapid investigation of complaints.

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(3) Prostitutes are especially vulnerable to violence because their legal status tends to marginalize them. It shall be the policy of San Francisco that the Police Department diligently investigate violent attacks against prostitutes and take efforts to establish the level of coercion involved in the prostitution, in particular where there is evidence of trafficking in women and girls. It shall be the goal of the City and County of San Francisco to develop and fund projects to help prostitutes who have been subject to violence and to prevent such acts.

(4) The City and County of San Francisco shall ensure that all public works projects include measures, such as adequate lighting, to protect the safety of women and girls.

(5) It shall be the goal of the City and County of San Francisco to fund public information and education programs to change traditional attitudes concerning the roles and status of women and men.

(c) Health Care.

(1) It shall be the goal of the City and County of San Francisco to take all appropriate measures to eliminate discrimination against women and girls in the field of health care in order to ensure, on a basis of equity, information about and access to adequate health care facilities and services, according to the needs of all communities, regardless of race, ethnicity, culture, language, and sexual orientation, including information, counseling and services in family planning.

(2) It shall be the goal of the City and County of San Francisco to ensure that women and girls receive appropriate services in connection with prenatal care, delivery, and the post-natal period, granting free services where possible, as well as adequate nutrition during pregnancy and lactation.

(d) In undertaking the enforcement of this Ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 12K.3. IMPLEMENTATION OF THE PRINCIPLES OF CEDAW IN SAN FRANCISCO. The City and County of San Francisco shall ensure the protection of human rights, including the elimination of discrimination against women and girls, and shall work toward implementing the principles of CEDAW.

(a) Gender Analysis. In order to determine whether a department is implementing the provisions of CEDAW and/or discriminating against women and girls in its budget allocation, provision of direct and indirect services, or employment practices, each department designated by the CEDAW Task Force shall undergo a gender analysis. The gender analysis must include an evaluation of gender equity in the department's budget, allocation of funding, employment practices, delivery of direct and indirect services, and operations. The analysis shall also address the department's compliance with the

CEDAW principles as set forth in Section 12K.2 and its coordination of services for women and girls.

(1) The CEDAW Task Force, in cooperation with the Commission on the Status of Women, shall develop the gender analysis guidelines.

(2) The Commission on the Status of Women shall conduct the gender analyses.

(3) Each department head of a department undergoing a gender analysis shall designate a management-level employee to serve as a liaison to the CEDAW Task Force and the Commission on the Status of Women to assist in completing the gender analysis.

(b) Redressing Discrimination Against Women And Girls.

(1) The Commission on the Status of Women shall train each department in human rights with a gender perspective.

(2) The Commission on the Status of Women and the CEDAW Task Force shall submit the gender analyses to the Mayor and the Board of Supervisors by May 1, 1999.

(3) The Commission on the Status of Women shall submit to the Mayor and the Board of Supervisors a detailed Action Plan by September 1, 1999. The Action Plan shall address any and all deficiencies found in the gender analyses, what measures the CEDAW Task Force recommends to correct those deficiencies, how the departments should implement the local principles of CEDAW as described in Section 12K.2, and any further action it recommends that the City take to implement the local principles of CEDAW.

(4) The Board of Supervisors committee responsible for considering the City's Budget shall hold a hearing to receive the gender analyses, Action Plan and any other recommendations and reports of the Commission on the Status of Women and/or CEDAW Task Force.

Section 12K.4. CEDAW TASK FORCE. (a) Establishment. A CEDAW Task Force is hereby established. The Task Force shall report to the Mayor, the Board of Supervisors and the Commission on the Status of Women. The Commission on the Status of Women shall provide administrative support for the Task Force. The Task Force shall consist of eleven members.

(b) Purpose. The Task Force is established to advise the Mayor, the Board of Supervisors and the Commission on the Status of Women about the local implementation of CEDAW.

(c) Powers and Duties. The Task Force shall have the following powers and duties:

(1) To report to the Mayor, the Board of Supervisors, or its designated committee, and the Commission on the Status of Women on the local implementation of CEDAW every six months, beginning on or about November 16, 1998;

(2) To identify the City departments to undergo a gender analysis to be conducted by the Commission on the Status of Women and to determine a schedule of compliance for those departments;

(3) To work with the consultants hired by the Commission on the Status of Women to develop gender analysis guidelines;

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(4) To evaluate the gender analyses and other reports from departments and the Commission on the Status of Women;

(5) To solicit and review comments from the public, including City unions;

(6) To recommend to the Mayor, the Board of Supervisors, and the Commission on the Status of Women measures to correct the deficiencies identified in the gender analyses, to implement the principles of CEDAW, and to address discrimination against women and girls;

(7) To recommend to the Mayor, the Board of Supervisors, and the Commission on the Status of Women a schedule for a detailed review of progress made on the implementation of the recommendations contained in the Action Plan.

(8) To investigate, evaluate and recommend the implementation of the principles of CEDAW in the private sector; and

(9) To investigate, evaluate and recommend the implementation of an integrated services plan for women and girls.

(d) Membership and Organization.

(1) The members of the Task Force shall be as follows:

(A) the President of the Human Rights Commission or her or his designee;

(B) a staff member from the Mayor's Office knowledgeable about the City's budget, to be designated by the Mayor;

(C) the head of the Department of Human Resources or her or his designee;

(D) the President of the Board of Supervisors or her or his designee;

(E) a representative of a City-recognized union experienced in women's issues appointed by the San Francisco Labor Council;

(F) the President of the Commission on the Status of Women or her or his designee;

(G) five members from the community to be designated by the Commission on the Status of Women, as follows:

(i) two representatives shall work in the field of international human rights and be knowledgeable about CEDAW;

(ii) one representative shall be knowledgeable about economic development, including employment issues;

(iii) one representative shall be knowledgeable about health care issues; and

(iv) one representative shall be knowledgeable about violence against women.

(2) The Task Force shall convene by June 1, 1998.

(3) The Task Force shall expire on December 31, 2002, unless its powers are renewed by the Board of Supervisors. When the Task Force expires, the Commission on the Status of Women shall take on the leadership and responsibilities previously designated to the Task Force.

(4) All appointed members of Task Force shall serve at the pleasure of their appointing authorities. The term of each community member of the CEDAW Task Force shall be for two years; provided

however, that the initial members shall, by lot, classify their terms so that three members shall serve a two year term and two members shall serve a three year term. Subject to the expiration of the Task Force, their successors shall be appointed for a two-year term; provided, however, that any member may be reappointed for consecutive terms.

Section 12K.5. Summary of CEDAW.

Article 1: Defines discrimination against women as any "distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of marital status, on the basis of equality between men and women, of human rights or fundamental freedom in the political, economic, social, cultural, civil, or any other field."

Article 2. Mandates concrete steps, implementing laws, policies and practices to eliminate discrimination against women and embody the principle of equality.

Article 3. Requires action in all fields - civil, political, economic, social, and cultural - to advance the human rights of women.

Article 4. Permits affirmative action measures to accelerate equality and eliminate discrimination.

Article 5. Recognizes the role of culture and tradition, and calls for the elimination of sex role stereotyping.

Article 6. Requires suppression of traffic in women and exploitation of prostitutes.

Article 7. Mandates ending discrimination against women in political and public life.

Article 8. Requires action to allow women to represent their governments internationally on an equal basis with men.

Article 9. Mandates that women will have equal rights with men to acquire, change or retain their nationality and that of their children.

Article 10. Obligates equal access to all fields of education and the elimination of stereotyped concepts of the roles of men and women.

Article 11. Mandates the end of discrimination in the field of employment and recognizes the right to work as a human right.

Article 12. Requires steps to eliminate discrimination from the field of health care, including access to family planning. If necessary, these services must be free of charge.

Article 13. Requires that women be ensured equal access to family benefits, bank loans, credit, sports and cultural life.

Article 14. Focuses on the particular problems faced by rural women.

Article 15. Guarantees equality before the law and equal access to administer property.

Article 16. Requires steps to ensure equality in marriage and family relations.

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Article 17. Calls for the establishment of a committee to evaluate the progress of the implementation of CEDAW.

Article 18-30. Set forth elements of the operation of the treaty.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Amy S. Ackerman
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 6, 1998	§	April 13, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman	§	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	§	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	§	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
98-0336

APR 13 1998
Date Approved

_____
Mayor

FILE NO. 98-0258 ORDINANCE NO. 129-98

[Sunshine Ordinance Amendment]

AMENDING CHAPTER 67 OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE), WHICH PROVIDES FOR PUBLIC ACCESS TO GOVERNMENT MEETINGS AND PUBLIC RECORDS, BY AMENDING ARTICLE II, SECTION 67.3 TO ALLOW NON-COMMITTEE MEMBERS OF A POLICY BODY TO ATTEND A COMMITTEE MEETING AS OBSERVERS WITHOUT CONVERTING THE COMMITTEE MEETING INTO A MEETING OF THE POLICY BODY.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 67, Article II of the San Francisco Municipal Code is hereby amended by amending Section 67.3, to read as follows:

SEC. 67.3. DEFINITIONS. Whenever in this Article the following words or phrases are used, they shall mean:

(a) "City" shall mean the City and County of San Francisco.

(b) "Meeting" shall mean any of the following:

(1) A congregation of a majority of the members of a policy body at the same time and place;

(2) A series of gatherings, each of which involves less than a majority of a policy body, to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the City, if the cumulative result is that a majority of members has become involved in such gatherings; or

(3) Any other use of personal intermediaries or communications media that could permit a majority of the members of a policy body to become aware of an item of business and of the views or positions of other members with respect thereto, and to negotiate consensus thereupon.

(4) "Meeting" shall not include any of the following:

(A) Individual contacts or conversations between a member of a policy body and a constituent which do not convey to the member the views or positions of other members upon the subject matter of the contact or conversation and in which the member does not solicit or encourage the restatement of the views of the other members,

(B) The attendance of a majority of the members of a policy body at a regional, statewide or national conference, or at a meeting organized to address a topic of local community concern and open to the public, provided that a majority of the members refrains from using the occasion to collectively discuss the topic of the gathering or any other business within the subject matter jurisdiction of the City, or

(C) The attendance of a majority of the members of a policy body at a purely social, recreational or ceremonial occasion other than one sponsored or organized by or for the policy body itself, provided that a majority of the members refrains from using the occasion to discuss any business within the subject matter jurisdiction of this body. A meal gathering of policy body before, during or after a business meeting of the body is part of that

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meeting and shall be conducted only under circumstances that permit public access to hear and observe the discussion of members. Such meetings shall not be conducted in restaurants or other accommodations where public access is possible only in consideration of making a purchase or some other payment of value.

(D) The attendance of a majority of the members of a policy body at an open and noticed meeting of a standing committee of that body, provided that the members of the policy body who are not members of the standing committee attend only as observers.

((D)) (E) The proceedings of any committee having responsibility for the evaluation and improvement of the quality of medical care, mental services or any other type of health services provided by the City or City-funded providers, including but not limited to committees described in Evidence Code Sections 1156 et seq.,

((E)) (F) Proceedings of the Department of Social Services Child Welfare Placement and Review Committee or similar committees which exist to consider confidential information and make decisions regarding Department of Social Services clients.

(c) "Policy body" shall mean:

(1) The Board of Supervisors;

(2) Any other board or commission established by the Charter or by ordinance or resolution of the Board of Supervisors; or

(3) Any advisory commission, committee or body of the City, created by the initiative of a policy body;

(4) Any standing committee of a policy body irrespective of its composition.

A policy body shall not include a committee which consists solely of employees of the City and County of San Francisco.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Mario Michel Kashou
MARIO MICHEL KASHOU
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
March 30, 1998	§	April 6, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee
	§	
	§	
Absent: Supervisor Katz	§	Absent: Supervisors Bierman Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0258

APR 17 1998
Date Approved

acting Mayor

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3/18/98 - As amended in Committee.

FILE NO. 98-0322 ORDINANCE NO. 130-98

(Government Funding) RO#97216

18/98 FOR EQUIPMENT REQUIRED FOR A NEW WIDE AREA NETWORK SA#74

APPROPRIATING AND RESCINDING $162,360 OF RENTAL AND LEASE FUNDS AND WORK ORDER FUNDS ~~TO PURCHASE A NEW CITATION PROCESSING SYSTEM~~ AND MOBILE RADIOS AT THE DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	PK-PTC Parking and Traffic	BKQ Enforcement	
Funding Sources			
021-03000 (365022)	Rental Leases-Bldg. Structures Budget	$107,000	
081-081EL (365022)	Services of Other Department-Electricity	$55,360	
Funding Uses			
060-06000 (365022)	Equipment Purchase-Lan Radios		$162,360
	Total	$162,360	$162,360

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY:

n\excel\appro\36sa#74

(SUPERVISOR TENG)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 30, 1998	April 6, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee
Absent: Supervisor Katz	Absent: Supervisors Bierman Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0322

APR 17 1998
Date Approved

acting Mayor

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FILE NO. 98-0337 ORDINANCE NO. 131-98

[Commission on the Status of Women]

AMENDING CHAPTER 33 OF THE SAN FRANCISCO ADMINISTRATIVE CODE, BY AMENDING SECTION 33.3, DELETING SECTIONS 33.6 AND 33.7, AMENDING AND RENUMBERING SECTION 33.8, DELETING SECTION 33.9 TO CONFORM TO THE CHANGES IN THE 1996 CHARTER; RENUMBERING AND AMENDING SECTION 33.10 TO REQUIRE DEPARTMENTS TO MAKE QUARTERLY RATHER THAN MONTHLY REPORTS TO THE COMMISSION; AND TO AMEND SECTION 33.4 TO AUTHORIZE THE COMMISSION TO ANALYZE AND ADVISE THE MAYOR AND THE BOARD OF SUPERVISORS ON THE GENDER EQUITY OF COMMISSION AND BOARD APPOINTMENTS, TO REORGANIZE THE SECTION TO COMBINE ALL EMPLOYMENT-RELATED POWERS AND DUTIES IN ONE SUB-SECTION; TO RECEIVE REPORTS FROM OTHER CITY DEPARTMENTS REGARDING THEIR EXPENDITURE OF FUNDS TO COMBAT VIOLENCE AGAINST WOMEN, TO CARRY OUT SAN FRANCISCO ADMINISTRATIVE CODE SECTION 12K IMPLEMENTING LOCALLY THE PRINCIPLES OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW), AND TO COORDINATE WITH OTHER CITY DEPARTMENTS AND COMMUNITY GROUPS TO DEVELOP AN INTEGRATED SERVICES PLAN FOR WOMEN AND GIRLS.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 33 of the San Francisco Administrative Code is hereby amended by amending Sections 33.3, 33.4, 33.6, 33.7, 33.8, 33.9, and 33.10 to read as follows:

CHAPTER 33

COMMISSION ON THE STATUS OF WOMEN

Sec. 33.1. Findings.

Sec. 33.2. Declaration of Policy.

Sec. 33.3. ((Establishment of Commission; Appointment of Commissioners; Terms of Office; Removal of Commissioners; Compensation;)) Executive Director.

Sec. 33.4. Powers and Duties.

Sec. 33.5. Cooperation with Other Groups and Individuals.

((Sec. 33.6. Meetings.))

((Sec. 33.7. Rules and Regulations.))

Sec. ((33.8.)) 33.6 Reports.

((Sec. 33.9. Availability of All Agendas, Minutes and Reports.))

((Sec. 33.10.)) 33.7 Cooperation of Other City and County Entities.

SEC. 33.1. FINDINGS. (a) Because of tradition and prejudice, social, political, economic, cultural and educational restrictions on women through the years, women and girls have been denied by virtue of their gender ((status as women)), basic human rights resulting in inequities in economic, political, legal, cultural and social status. Despite obvious deprivations of opportunity to attain equality with men, women have made and continue to make substantial contributions in diverse areas of human activity and enterprise. Women have initiated movements for social and political emancipation, human welfare and world peace. The disadvantaged status of women and girls is, however, inimical to the public welfare in that it prevents women

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and girls from fully developing their individual potentials and from contributing fully to the cultural and economic life of the community. In view of the long tradition of according women and girls an inferior status in society, nothing less than a concerted effort at the national, State and local levels will result in true equality of the sexes.

(b) Despite remedial legislation and increased public awareness of the disparity in the treatment of women in our society, women and girls continue to be treated unequally.((, and in some respects their condition has worsened.)) Women in the workforce continue to earn, on average, less than men. The skills and abilities that women bring to job fields that have not historically been open to them remain underutilized. Women continue to perform only a small percentage of City contracts. Women continue to constitute a disproportionate percentage of the population earning the minimum wage and/or living in poverty. In addition, reported cases of ((domestic)) violence against women and girls have risen dramatically. ((Domestic violence)) Violence against women and girls now accounts for approximately one quarter of assault arrests and homicides in San Francisco.

(c) There is a continued need for a governmental body to monitor the status of women and girls, including the status and unique problems of women and girls of color, homeless women and girls, immigrant women and girls, lesbians and low-income women and girls, both within City and County government and in the private sector, to monitor complaints about unlawful and unequal treatment of

women, to investigate inequalities, and to propose remedies.

SEC. 33.2. DECLARATION OF POLICY. It is the policy of the City and County of San Francisco to give every inhabitant of the City and County, woman or man, girl or boy, equal economic, political, social and educational opportunities and to give equal services and protection by public agencies. It is the policy of the City and County of San Francisco to keep the public informed on developments in the legal and social status of women and girls; to develop and distribute pertinent information and recommendations to the City and County agencies and to the general public; to provide expert advice and assistance to the offices, agencies, boards, departments, and employees of the City and County in undertaking efforts to assure equality in the treatment of the sexes; and to officially encourage private persons and groups to take steps to remove the barriers in the struggle of both women and men for equal opportunities resulting from tradition and prejudice as well as the educational, economic, political, legal and social restrictions of the past. It is the policy of the City and County of San Francisco that the Mayor, the Board of Supervisors, and all City and County commissions, boards and department heads shall consult with the Commission on matters relating to gender ((women)).

SEC. 33.3. ((ESTABLISHMENT OF COMMISSION; APPOINTMENT OF COMMISSIONERS; TERMS OF OFFICE; REMOVAL OF COMMISSIONERS; COMPENSATION;)) EXECUTIVE DIRECTOR. (((a) **Establishment of Commission.** A Commission on the Status of Women for the City and County of San Francisco (referred to hereafter in this Chapter as

"Commission") is hereby created consisting of 11 members; provided, however, that pursuant to Subsection 33.3(c) below the Commission shall be reduced to seven members upon appointment by the Mayor of seven replacement commissioners.))

(((b)**Appointment of Commissioners.** The members of the Commission shall be appointed by and serve at the pleasure of the Mayor. The Commission shall be broadly representative of ethnic, racial, age and sexual orientation groups and shall otherwise reflect the diversity of the City and County.))

(((c)**Terms of Office.** Within 60 days of the effective date of the 1989 amendments to this Chapter, the Mayor shall appoint seven commissioners to replace the current Commission of 11 members. The Mayor shall appoint all seven replacement commissioners at one time, at which point the term of office of the prior 11 members of the Commission shall terminate. Of the seven replacement members appointed, one shall serve for a term of two years, three shall serve for a term of three years, and three shall serve for a term of four years. The term of office of each Commissioner shall be determined by the drawing of lots at the first meeting of the Commission after the appointment of the seven replacement Commissioners. Thereafter, members shall be appointed for a term of office of four years, except that all of the vacancies occurring during a term shall be filled for the unexpired term.))

(((d) **Removal of Commissioners.** Any Commissioner who misses three regularly scheduled meetings of the Commission in any 12-month period without the express approval of 51 percent of the members of

the Commission given at a regularly scheduled meeting shall be deemed to have resigned from the Commission.))

(((e) **Compensation.** Upon adoption of a budget for the Commission on the Status of Women, the compensation for attendance at Commission meetings shall be $25 for each meeting of the Commission actually attended by the member; provided, however, that no member shall be paid for attending more than two Commission meetings in any one calendar month.))

(((f) **Executive Director.** The Commission shall appoint an Executive Director of the Commission who shall serve at the Commission's pleasure. The Executive Director shall act as the department head and appointing officer of the Commission pursuant to Charter Section 3.501.)) The Executive Director shall supervise the Commission's staff. In selecting the Commission's staff, the Executive Director shall consider the diverse makeup of the general public of San Francisco, including the racial, ethnic, age and sexual orientation groups in the City and County. The Executive Director shall also ensure that staff have demonstrated commitment and expertise in working on behalf of women's issues and gender equity.

SEC. 33.4. POWERS AND DUTIES. The Commission shall have the power and the duty to:

(a) Prepare and disseminate educational and informational material relative to the role that tradition and prejudice and the deprivation of equal opportunities in areas such as education and employment have played in keeping women and girls of all races,

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creeds, ages, marital status and sexual orientation from developing their full individual potentials and from contributing fully to the cultural and economic life of the community;

(b) Hold public hearings on matters relevant to the general scope of the Commission, and to subpoena records and witnesses in connection with such hearings;

(c) Review national, state and local legislation which may have an impact on the status of women and girls and communicate the Commission's position regarding the proposed legislation to the appropriate legislative bodies, so long as the Commission's position on State and federal legislation does not conflict with any official position taken by the City and County;

(d) Analyze the composition of boards and commissions by gender and advise the Mayor and the Board of Supervisors on the equity of appointments. Develop and maintain a Talent Bank of Women which can be used in a variety of ways, including but not limited to assisting ((the Civil Service Commission in recruiting qualified women to serve as members of qualifications appraisal boards, and)) the Commission on the Status of Women in nominating qualified women for appointment by the Mayor to vacancies on boards and commissions of the City and County;

(e) Study, and make recommendations to the Mayor, the Board of Supervisors and departments to implement programs that promote the economic development of women. The Commission's responsibilities shall include, but not be limited to:

(1) Advocating the Human Resources Department to develop

and implement programs that assist in recruiting and employing qualified women applicants for those positions filled through the Human Resources Department which traditionally employ few women; making recommendations regarding terminology used in job announcements, recruitment techniques, job qualifications, salary schedules, training and promotional practices;

(2) Studying job categories which traditionally are filled primarily by women or primarily by men to determine whether the rate of compensation in the traditionally female jobs compares reasonably and favorably with the rate of compensation in the traditionally male jobs, taking into consideration the training, experience, mental and physical effort and responsibility required and the working conditions involved, and take necessary steps to implement equity;

(3) Studying and making recommendations regarding the special employment problems of women, including but not limited to the need for family-friendly policies, part-time employment options, child care centers, on-the-job training and retraining for those who have been out of the employment market for extended periods and "glass-ceiling issues";

(4) Advising the Civil Service Commission and Human Resources Department on the form of reports regarding City and County employees and members of boards and commissions regarding sex, race, salary level, job classification and other statistical data, and to develop an analysis of the data in regard to the areas of concern to the Commission;

(5) Monitoring the reports of complaints of all forms of

employment discrimination against women (including sexual harassment) received and forwarded by the Department of Human Resources and all other agencies, departments, boards and commissions of the City and County pursuant to Administrative Code Section 33.10, and consult with and make recommendations to the Department of Human Resources and all agencies, departments, boards and commissions of the City and County concerning the handling of such complaints;

(6) Assisting in the preparation of training programs and materials with respect to the economic development of and employment discrimination against women and girls, including sexual harassment, for City and County departments and agencies;

(((e) Cooperate with and make recommendations to the Civil Service Commission in the development and implementation of programs and practices which have the purpose of furthering the objectives of this ordinance, including but not limited to recommendations regarding terminology used in job announcements, recruitment techniques, job qualifications, salary schedules, training and promotional practices;))

(((f) Encourage the Civil Service Department to recruit and implement employment of qualified women applicants for those positions filled through the Civil Service Department which traditionally employ few women;))

(((g) Study job categories which traditionally are filled primarily by women or primarily by men to determine whether the rate of compensation in the traditionally female jobs compares reasonably and favorably with the rate of compensation in the traditionally male

jobs, taking into consideration the training, experience, mental and physical effort and responsibility required and the working conditions involved, and take necessary steps to implement equity;))

(((h) Study and make recommendations regarding the special employment problems of women stemming from the assignment to them of traditional roles such as responsibility for child rearing, including but not limited to the need for child care centers, on-the-job training and retraining for those who have been out of the employment market for extended periods and part-time employment opportunities;))

(f) (((i))) Cooperate with and make recommendations to law enforcement agencies and officials concerning the treatment of women and girls in the City and County's correctional and juvenile justice system, the enforcement of laws which have a particular impact on women and girls, including but not limited to laws relating to ((domestic)) violence against women and girls, rape and prostitution;

(g) (((j))) Cooperate with and make recommendations to the Community College District and to the San Francisco Unified School District on the development and implementation of programs and practices which have the purpose of furthering the objectives of this ordinance, including but not limited to recommendations concerning in-service training, sex-role stereotyping in textbooks, sexual harassment, violence against women and girls and courses and methods of providing role models for female students who may be interested in areas of employment not traditionally filled by women;

(h) ((k)) Provide information, guidance and technical assistance to other public agencies and private persons, organizations and

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institutions engaged in activities and programs intended to eliminate prejudice and discrimination against women and girls because of their gender ((status as women)), and to serve as liaison between the public and private sectors on matters affecting women and girls in the community;

(((l) Advise the Civil Service Commission on the form of the annual census of City and County employees and members of boards and commissions regarding sex, race, salary level, job classification and other statistical data, and to develop an analysis of the data in regard to the areas of concern to the Commission;))

(i) (((m))) Cooperate with and make written recommendations to the Board of Supervisors, the Mayor, City and County agencies, boards and commissions and City and County officials regarding the development and implementation of programs and practices for the purpose of furthering the objectives of this ordinance, including but not limited to, recommendations with respect to improving the City and County's procedures for enforcing prohibitions against all forms of ((employment)) discrimination against women and girls, including sexual harassment, within the City and County government and with its contractors;

(j) (((n)) Investigate and mediate, at the request of a party and within the limitations of staff time and resources, all incidents of discrimination against women because of their status as women which are not within the exclusive jurisdiction of some federal or State agency or the Human Rights Commission, and make specific recommendations to the involved parties as to the methods for

eliminating discrimination against women;

(k) (((o))) Prepare, encourage and coordinate programs of voluntary action to reduce or eliminate existing inequalities and disadvantages in both the public and private sector resulting from prejudice, tradition and past discrimination against women and girls;

(l) (((p))) Oversee and administer funds allocated to the Commission for programs regarding violence against women((domestic violence programs)); Receive reports from all City departments funding programs regarding violence against women;

(m) (((q))) Review the programs and budget of any other City and County department or agency where there are reasonable grounds for believing that department or agency is not complying with this Article or is otherwise not protecting the rights of women and girls fully; and, if necessary, to request the Controller to perform a management or budget audit with respect to those deficiencies;

(((r) Monitor the reports of complaints of all forms of employment discrimination against women (including sexual harassment) received and forwarded by the Civil Service Commission and all other agencies, departments, boards and commissions of the City and County pursuant to Administrative Code Section 33.10, and consult with and make recommendations to the Civil Service Commission and all agencies, departments, boards and commissions of the City and County concerning the handling of such complaints;))

(((s) Assist in the preparation of training programs and materials with respect to employment discrimination against women, including sexual harassment, for City and County departments and

agencies;))

(n) (((t))) Study and monitor all agencies, departments, boards and commissions of the City and County to identify patterns and practices that have a discriminatory effect upon women and girls;

(o) Carry out the provisions of Section 12K of the San Francisco Administrative Code implementing, locally, the principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);

(p) Coordinate with other City departments, policy bodies and community groups to develop an integrated services plan for women and girls.

SEC. 33.5. COOPERATION WITH OTHER GROUPS AND INDIVIDUALS. The Commission shall consult with and maintain contact with groups and individuals who are concerned with the status of women and girls or who are primarily responsible for assuring ((equal opportunities for women)) gender equity and women's human rights.

((**SEC. 33.6. MEETINGS.** The Commission shall meet at least one evening each month. The Commission shall comply with the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq. governing the conduct of public meetings and public business.))

((**SEC. 33.7. RULES AND REGULATIONS.** The Commission shall issue the necessary rules and regulations for the conduct of its business

under this ordinance. The public shall have at least 10 days for comment on commission rules and regulations before they are finally adopted by the Commission.))

SEC. ((33.8.)) 33.6 REPORTS. (((a) **Regular Reports.**)) The Commission shall render written reports of its activities to the Mayor and the Board of Supervisors not less than once every six months.

(((b) **Report re Consolidation of Commissions.** On or before June 1, 1994, the Commission and the Human Rights Commission shall submit recommendations, jointly or separately, to the Mayor and the Board of Supervisors concerning the feasibility of consolidating the functions of the Commission and the Human Rights Commission.))

((**SEC. 33.9. AVAILABILITY OF ALL AGENDAS, MINUTES AND REPORTS.** Agenda items for each Commission meeting shall be posted at least five days in advance of the meeting at the office of the Commission and at the main branch of the public library. Minutes of all meetings and the written report on Commission activities required under Section 33.8 shall be available for viewing by the public at the office of the Commission and at the main branch of the public library.))

SEC. ((33.10.)) 33.7 COOPERATION OF OTHER CITY AND COUNTY ENTITIES. (a) The Mayor, Board of Supervisors, and each commission, board, department and agency of the City and County shall fully

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cooperate with the Commission in fulfilling the provisions and purposes of this Article and shall regularly consult with the Commission on matters relating to women.

(b) The Human Resources Department ((Civil Service Commission)) shall make quarterly ((monthly)) reports to the Commission regarding all complaints of gender or sex ((employment)) discrimination ((against women)) that it receives. The Human Resources Department's quarterly ((Civil Service Commission's monthly)) reports to the Commission on the Status of Women shall not contain information identifying the parties involved in the events giving rise to the complaint, but shall include: (1) the number of complaints filed that month and an identifier that the Commission can use to monitor the status of each complaint; (2) the specific type of discrimination alleged in ((nature of)) each complaint filed; (3) the department, bureau or division in which each complaint arose; (4) the harm ((damages)) allegedly suffered by the complainant; ((with respect to each complaint; and)) (5) the costs to the department in handling the matter; (6) the status of all outstanding complaints, including, but not limited to a report that the complaint is being investigated or mediated; (7) the findings in all completed cases; and (8) what, if any, corrective action was taken. The Human Resources Department ((Civil Service Commission)) shall consult with the Commission concerning the manner in which such complaints are handled. The Human Resources Department ((Civil Service Commission)) and all other agencies, departments, boards and commissions of the City and County shall also send the Commission any and all reports they make to the

Board of Supervisors and/or the Mayor concerning any type of employment discrimination against women (including sexual harassment). The Human Resources Department ((Civil Service Commission)) shall provide the Commission, upon request, access to pertinent, nonconfidential personnel information with respect to current City and County employees and applicants for employment including, but not limited to: (1) an employee's or applicant's eligibility or certification status; and (2) any workforce utilization or salary analysis performed by the Human Resources Department ((Civil Service Commission)).

(c) The City Attorney shall submit to the Commission a monthly report of settlements, which includes lawsuits and claims filed by female employees of the City and County alleging employment discrimination. The report shall include: (1) the name of the case or claimant; (2) the nature of the case; (3) the damages allegedly suffered; and (4) the amount of the settlement. The City Attorney shall also provide, quarterly, a summary of litigation judgments in favor of and against the City and County, including all lawsuits filed by female employees alleging ((employment)) discrimination. The City Attorney shall alert the Commission to the filing of any lawsuit against the City and County alleging any form of ((employment)) discrimination against women and shall provide a monthly report of all administrative claims filed against the City, including any claims alleging ((employment)) discrimination against women. Upon request, the City Attorney shall forward to the Commission a copy of any complaint or claim filed with or served upon the City Attorney.

(d) All agencies, departments, boards and commissions of the City and County, with the exception of the City Attorney, shall make quarterly ((monthly)) reports to the Commission regarding all complaints of gender or sex ((employment)) discrimination filed by their ((female)) employees ((alleging any type of employment discrimination)). The quarterly ((monthly)) report ((shall be filed by the fifteenth of each month, for the previous month, and)) shall include: (1) the number of complaints filed that month and an identifier that the Commission can use to monitor the status of each complaint; (2) the specific type of discrimination alleged in ((nature of)) each complaint filed; (3) the department, bureau or division in which each complaint arose; (4) the harm ((damages)) allegedly suffered by the complainant; ((with respect to each complaint; and)) (5) the costs to the department in handling the matter; (6) the status of all outstanding complaints, including, but not limited to a report that the complaint is being investigated or mediated; (7) the findings in all completed cases; and (8) what, if any, corrective action was taken. All agencies, departments, boards and commissions of the City and County required to file such reports shall consult with the Commission concerning the manner in which such complaints shall be handled.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Amy S. Ackerman
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 6, 1998	§	April 13, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman	§	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	§	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	§	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0337

APR 17 1998
Date Approved

Acting Mayor

FILE NO. 98-0361 ORDINANCE NO. 132-98

RO#97220

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PLAINTIFFS NORMAN PATRICK DOOLITTLE, DAVID ANDREW GIBB, MARTIN STEPHEN HARDWICK AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $32,500.00 (payable as follows: $29,500.00 to plaintiff Doolittle; $1,500.00 to plaintiff Gibb; $1,500.00 to plaintiff Hardwick)

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the personal injury claims in the action entitled "*Norman Patrick Doolittle, David Andrew Gibb, Martin Stephen Hardwick. v. City and County of San Francisco et al.*", San Francisco Superior Court No. 978634, by the payment of $32,500.00 to settle all personal injury claims by all plaintiffs.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE, City Attorney

By: PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $32,500.00

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 30, 1998	April 6, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee
Absent: Supervisor Katz	Absent: Supervisors Bierman Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0361

APR 17 1998
Date Approved

Mayor

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Govt Information Ctr
41 Main Library-Civic Center
100 Larkin Street
Mailslot

FILE NO. 98-0362
(Government Funding)

ORDINANCE NO. 133-98
RO#97213
SA#68

APPROPRIATING $569,464 FROM THE GENERAL FUND SALARY RESERVE TO FUND LABOR NEGOTIATIONS OF THE DEPARTMENT OF THE HUMAN RESOURCES FOR FISCAL YEAR 1997-98; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Debit	Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	UN-UNA General Unallocated	FCZ General City Responsibility	
Funding Sources			
097-097S1 (*CON1GAGFAAA)	General Fund Reserve-Salary	$569,464	
095-0951G (GEAGFAAA951G)	Intrafund Transfer Out to 1G-AGF-AAP		$569,464
	Total	$569,464	$569,464
Fund	**Department**	**Program**	
1G-AGF-AAP General Fund - Annual Project	HRD03 Human Resources-Employee Relations	FC4 Employee Relations	
Funding Sources			
950-9501G (xxxxxxxxxxx)	Intrafund Transfer In from 1G-AGF-AAA. UNA	$569,464	
Funding Uses			
001-00500 (335016)	Salary - Temporary		$29,590
001-01901 (335016)	Fringe Benefits		$2,960
Project			
PRD009	332270		
021-02700 (335016)	Professional Services		$75,000
081-081CT (335016)	Services of Other Department-City Attorney		$580,064
086-086CT (335016)	Less Recovery from Other Funds		($118,150)
	Total	$569,464	$569,464

Section 2. The following departments are authorized to transfer, from any legally available funds, to the City Attorney or Human Resources Department funds in the aggregate amount of $118,150 to support Labor Negotiations for fiscal year 1997-98:

Dept. of Public Works-Overhead	$8,181
Airport	$45,042
Building Inspections	$7,949
Port Commission	$8,450
PUC-Hetch Hetchy	$5,810
PUC-Water	$15,859
Public Utilities Commission	$14,018
PUC-Cleanwater	$12,841
Total	$118,150

Section 3. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: [signature]

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 6, 1998	§	April 13, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	§	
Absent: Supervisors Bierman Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
98-0362

APR 23 1998
Date Approved

Mayor

FILE NO. 98-0363 ORDINANCE NO. 134-98

[San Francisco Conservation Corps Master Agreement]

WAIVING COMPETITIVE BID AND PREVAILING WAGE REQUIREMENTS FOR THE DEPARTMENT OF PARKING AND TRAFFIC'S AWARD OF A MASTER CONTRACT TO THE SAN FRANCISCO CONSERVATION CORPS FOR MAINTENANCE SERVICES, LANDSCAPE SERVICES, INSTALLATION SERVICES, AND CONSERVATION AND RECYCLING EDUCATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

A. The Mayor's Office and the Board of Supervisors have asked departments to look for opportunities to provide employment and training programs for the youth of San Francisco.

B. The San Francisco Conservation Corps offers the youth of San Francisco employment and training opportunities while emphasizing such skills as teamwork, self-respect, job readiness, and civic responsibility.

C. The Department of Parking and Traffic, the Water Department, the San Francisco Airport, and the Department of Public Works were planning to develop separate personal services contracts for seasonal maintenance, landscaping, installation, and conservation-related services with the San Francisco Conservation Corps.

D. The Director of the Purchasing Department urged all departments that were developing individual personal services

contracts with the San Francisco Conservation Corps to consolidate their efforts into one master agreement.

E. The Department of Parking and Traffic, the Water Department, the San Francisco Airport, and the Department of Public Works have agreed to work together to develop a master contract with the Department of Parking and Traffic serving as the lead department for the first year of the contract.

F. Charter Section A 7.204 provides that the Board of Supervisors can exempt from the Charter's prevailing wage requirements any contract under which the work is to be performed by a non-profit organization that provides job training and work experience for disadvantaged individuals in need of such training and experience and which has a board of directors appointed by the Mayor.

G. The San Francisco Conservation Corps is a nonprofit organization that provides job training and work experience for disadvantaged youth in San Francisco in need of such training and experience and has a board of directors appointed by the Mayor.

H. The Parking and Traffic Commission adopted Resolution No. 158-97-PTC, a copy of which is on file with the Clerk of the Board in File No. 98-0363, authorizing the Department of Parking and Traffic to fund and award the department's portion of the professional services contract.

Section 2. The Board of Supervisors hereby waives the City's competitive bidding and prevailing wage requirements for this master

/ / /

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contract with the San Francisco Conservation Corps, as provided for under the provisions of Section A7.204 of the City Charter.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
ROBERT S. MAER?
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
April 6, 1998	April 13, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
98-0363

APR 23 1998
Date Approved

_____
Mayor

FILE NO. 98-0407 ORDINANCE NO. 135-98

(Government Funding) RO#97222 SA#69

APPROPRIATING $37,990,313 OF VARIOUS BOND FUND BALANCE TO THE AIRPORT COMMISSION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5A-CPF-67X	AIR-99	BGH	
SFIA-1967 Bond Fd.	Airport Cost	Facilities, Maintenance, Construction	
Funding Sources			
Project			
CACE36-01	Approved Capital Improvement		
999-99999 (AIR67ACP)	Fund Balance	$10,915	
Funding Uses			
067-06700 (AIR67ACP)	Bldg., Structures & Improvement Project		$10,915
	Total 1967 Bond Fund	$10,915	$10,915
Fund	**Department**	**Program**	
5A-CPF-77X	AIR99	BGH	
1977 Airport Bond Fund-Series B	Airport Cost	Facilities, Maintenance, Constructions	
Funding Sources			
Project			
CACE38-01	Approved Capital Improvement		
999-99999 (AIR77ACP)	Fund Balance	$102,591	
Funding Uses			
067-06700 (AIR77ACP)	Bldg , Structures & Improvement Project		$102,591
	Total 1977 Rev. Bd. Series B	$102,591	$102,591

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5A-CPF-83D	AIR99	BGH	
1983 Airport Rev Bond-Series D	Airport Cost	Facilities, Maintenance, Construction	
Funding Source			
Project			
CACD73-01	Approved Capital Improvement		
999-99999 (AIR83ACP)	Fund Balance	$335,135	
Funding Uses			
067-06700 (AIR83ACP)	Bldg., Structures & Improvement Project		$335,135
	Total 1983 Rev. Bd.-Series D	$335,135	$335,135
Fund	**Department**	**Program**	
5A-CPF-90E	AIR99	BGH	
SFIA - 1990 Airport Rev. Bond Series E	Airport Cost	Facilities, Maintenance & Contruction	
Funding Sources			
Project			
CACE40-01	Approved Capital Improvement		
999-99999 (AIR90ACP)	Fund Balance	$479,559	
Funding Uses			
067-06700 (AIR90ACP)	Bldg , Structures & Improvement Project		$479,559
	Total 1990 Rev. Bond -Series E	$479,559	$479,559
Fund	**Department**	**Program**	
5A-CPF-921	AIR99	BGH	
1992-SFIA-Issue 1 Refunding Bd Fd	Airport Cost	Facilities, Maintenance, Construction	
Funding Sources			
Project			
CACF48-01	Construction-Unallocated Issue 1		
999-99999 (AIR01UNALLOC)	Fund Balance	$694,686	

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Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Funding Uses			
067-06700 (AIR01UNALLOC)	Bldg., Structures & Improvement Project		$694,686
	Total 1992-1 Refunding Bond	$694,686	$694,686

Fund	Department	Program
5A-CPF-932 1993-SFIA-Issue 2 Refunding Bd. Fd	AIR100 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF49-01	Construction-Unallocated Issue 2		
999-99999 (AIR02UNALLOC)	Fund Balance	$13,687	
Funding Uses			
067-06700 (AIR02UNALLOC)	Bldg., Structures & Improvement Project		$13,687
	Total 1993-2 Refunding Bond	$13,687	$13,687

Fund	Department	Program
5A-CPF-933 1993-SFIA-Issue 3 Refunding Bd. Fd.	AIR101 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF50-01	Construction-Unallocated Issue 3		
999-99999 (AIR03UNALLOC)	Fund Balance	$3,666	
Funding Uses			
067-06700 (AIR03UNALLOC)	Bldg., Structures & Improvement Project		$3,666
	Total 1993-3 Refunding Bond	$3,666	$3,666

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit

Fund	Department	Program
5A-CPF-926 1992-SFIA-Issue 6 Master Plan Bd. Fd	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACE03-01	Construction-Unallocated Issue 6		
999-99999 (AIR06UNALLOC)	Fund Balance	$3,474,789	
Funding Uses			
067-06700 (AIR06UNALLOC)	Bldg., Structures & Improvement Project		$3,474,789
	Total 1992-6 Master Plan Bond	$3,474,789	$3,474,789

Fund	Department	Program
5A-CPF-929 1992-SFIA-Issue 8B Master Plan Bond	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACE80-01	Construction-Unallocated		
999-99999 (AIR8BUNALLOC)	Fund Balance	$559,764	
Funding Uses			
067-06700 (AIR8BUNALLOC)	Bldg., Structures & Improvement Project		$559,764
	Total 1992-8B Master Plan Bds.	$559,764	$559,764

Fund	Department	Program
5A-CPF-92A 1992-SFIA-Issue 9A Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACE81-01	Construction-Unallocated		
999-99999 (AIR9AUNALLOC)	Fund Balance	$5,157,862	

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Funding Uses			
067-06700 (AIR9AUNALLOC)	Bldg., Structures & Improvement Project		$5,157,862
	Total 1992-9A Master Plan Bds.	$5,157,862	$5,157,862

Fund	Department	Program
5A-CPF-92B 1992-SFIA-Issue 9B Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF34-01	Construction-Unallocated		
999-99999 (AIR9BUNALLOC)	Fund Balance	$2,617,483	
Funding Uses			
067-06700 (AIR9BUNALLOC)	Bldg., Structures & Improvement Project		$2,617,483
	Total 1992-9B Master Plan Bds	$2,617,483	$2,617,483

Fund	Department	Program
5A-CPF-92C 1992-SFIA-Issue 10A Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF79-01	Construction-Unallocated		
999-99999 (AIR10AUNALLO)	Fund Balance	$5,830,573	
Funding Uses			
067-06700 (AIR10AUNALLO)	Bldg , Structures & Improvement Project		$5,830,573
	Total 1992-10A Master Plan Bds	$5,830,573	$5,830,573

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit

Fund	Department	Program
5A-CPF-92D 1992-SFIA-Issue 10B Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF81-01	Construction-Unallocated Issue 10B		
999-99999 (AIR10BUNALLO)	Fund Balance	$1,241,336	
Funding Uses			
067-06700 (AIR10BUNALLO)	Bldg., Structures & Improvement Project		$1,241,336
	Total 1992-10B Master Plan Bds.	$1,241,336	$1,241,336

Fund	Department	Program
5A-CPF-92E 1992-SFIA-Issue 11 Infrastructure Bond	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACF65-01	Construction-Unallocated Issue 11		
999-99999 (AIR11UNALLOC)	Fund Balance	$2,137,085	
Funding Uses			
067-06700 (AIR11UNALLOC)	Bldg , Structures & Improvement Project		$2,137,085
	Total 1992-11 Infrastructure Bd	$2,137,085	$2,137,085

Fund	Department	Program
5A-CPF-92F 1992-SFIA-Issue 12A Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project			
CACG55-01	Construction-Unallocated Issue 12A		
999-99999 (AIR12AUNALLO)	Fund Balance	$4,863,192	

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Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Funding Uses			
067-06700 (AIR12AUNALLO)	Bldg., Structures & Improvement Project		$4,863,192
	Total 1992-12A Master Plan Bds	$4,863,192	$4,863,192

Fund	**Department**	**Program**
5A-CPF-92G 1992 SFIA-Issue12B Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance & Construction

Funding Sources			
Project CACG58-01	Construction - Unallocated		
999-99999 (AIR12BUNALLO)	Fund Balance	$4,081,460	
Funding Uses			
067-06700 (AIR12BUNALLO)	Bldg., Structures & Improvement Project		$4,081,460
	Total 1992-12B Master Plan Bd	$4,081,460	$4,081,460

Fund	**Department**	**Program**
5A-CPF-96A 1996-SFIA-Issue 13A Infrastructure Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project CACG44-01	Construction Unallocated		
999-99999 (AIR13AUNALLO)	Fund Balance	$185,710	
Funding Uses			
067-06700 (AIR13AUNALLO)	Bldg., Structures & Improvement Project		$185,710
	Total 1996-13A Infrastructure Bd	$185,710	$185,710

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit

Fund	**Department**	**Program**
5A-CPF-96B 1996-SFIA-Issue 13B Insfrastructure Bond	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project CACG47-01	Construction-Unallocated		
999-99999 (AIR13BUNALLO)	Fund Balance	$4,497,390	
Funding Uses			
067-06700 (AIR13BUNALLO)	Bldg., Structure & Improvement Project		$4,497,390
	Total 1996-13B Infrastructure Bd	$4,497,390	$4,497,390

Fund	**Department**	**Program**
5A-CPF-92H 1992-SFIA-Issue 14 Master Plan Bonds	AIR99 Airport Cost	BGH Facilities, Maintenance, Construction

Funding Sources			
Project CACG71-01	Construction - Unallocated		
999-99999 (AIR14UNALLOC)	Fund Balance	$1,703,430	
Funding Uses			
067-06700 (AIR14UNALLOC)	Bldg., Structures & Improvement Project		$1,703,430
	Total 1992-14 Master PLan Bd	$1,703,430	$1,703,430

APPROVED AS TO FORM
LOUISE H RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 6, 1998	§	April 13, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	
	§	
Absent: Supervisors Bierman Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
98-0407

APR 23 1998
Date Approved

Mayor

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FILE NO. 98-0408
(Government Funding)

ORDINANCE NO. 136-98
RO#97223
SA#88

APPROPRIATING $1,501,492 OF SAN FRANCISCO HARBOR OPERATING FUND BALANCE TO FUND THE COSTS OF VARIOUS CAPITAL IMPROVEMENT PROJECTS AT THE PORT COMMISSION FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5P-AAA-AAA Port Operating Fd.-Non-Project	PRT-99 Port Commission	BKY Port Facilities Operation	
Funding Sources			
999-99999 (390000)	Fund Balance	$1,501,492	
Funding Uses			
095-0955P (xxxxxxxxxxxx)	Intrafund transfer out to 5P-AAA-ACP, Port Commission		$1,501,492
	Total	$1,501,492	$1,501,492
Fund	**Department**	**Program**	
5P-AAA-ACP Port-Continuing Project Operating Fund	PRTAAA Port Commission-General	BKY Port-Facilities & Operation	
Funding Sources			
950-9505P (xxxxxxxxxxxx)	Intrafund transfer in from 5P-AAA-AAA, Port Commission	$1,501,492	
Funding Uses			
067-06700 (392601)	Bldgs., Structures & Imprv't. Project		
Projects			
CPO655	Fisherman's Wharf Plaza		$535,037
CPO656-01	Landfill Closure		$530,150
CPO656-02	Wetland Restoration		$388 250
CPO657	Gas Structure Relocation		$17,528
CPO658	Pier 45 Apron Repair		$30,527
	Total	$1,501,492	$1,501,492

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 6, 1998	§	April 13, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Katz Kaufman Medina Newsom Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	§	
Absent: Supervisors Bierman Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0408

APR 23 1998
Date Approved

Mayor

[Acceptance of Streets for Maintenance]

ACCEPTING FOR PURPOSES OF MAINTENANCE THE STREETS DESIGNATED HEREIN, SUBJECT TO SPECIFIED LIMITATIONS, PURSUANT TO CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 1806 AND DEPARTMENT OF PUBLIC WORKS ORDER NO. 170,657.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. **Findings.** (a) The Board of Supervisors has determined that numerous streets and street segments in the City and County of San Francisco have not been formally accepted for maintenance purposes.

(b) The Board of Supervisors has reviewed and approves the certification and recommendation of the City Engineer concerning the acceptance of specified streets for maintenance purposes as contained in Department of Public Works Order No. 170,657, dated October 1, 1997, a copy of which is in Clerk of the Board of Supervisors' File No. 9-97-1.1.

Section 2. **Acceptance of Streets for Maintenance Purposes.**

(a) Pursuant to California Streets and Highways Code Section 1806 and Department of Public Works Order No. 170,657, dated October 1, 1997, a copy of which is in Clerk of the Board of Supervisors' File No. 9-97-1.1 and is incorporated herein by reference, the Board of Supervisors hereby accepts the designated streets and street segments listed in Subsection (c) for maintenance purposes.

(b) The streets and street segments accepted by the Board pursuant to Subsection (a) are subject to the following limitations: (1) the portion of street being accepted is the constructed street from back of curb to back of curb, unless specified otherwise, (2) privately maintained sewers are excluded from acceptance, (3) encroachments that are permitted, unpermitted, or both are excluded from acceptance, and (4) the acceptance of the streets does not obviate, amend, alter, or in any other way affect existing maintenance agreements between the City and parties to such maintenance agreements.

(c) The streets and street segments designated below are accepted for maintenance purposes by the City and County of San Francisco:

STREET	FROM	TO
28th Avenue	Lake Street	Lake Street
08th Street	Carolina Street	Hooper Street
08th Street	Hooper Street	Irwin Street
08th Street	Irwin Street	16th Street
15th Street	Treat Avenue	Harrison Street
15th Street	Castro Street	Beaver Street
16th Street	Castro Street	Flint Street
17th Street	Douglass Street	Ord Street
20th Street	Pennsylvania Avenue	Mississippi Street
26th Street	Tennessee Street	Minnesota Street
Alabama Street	Waltham Street	Esmeralda Avenue
Ambrose Bierce	New Montgomery	Annie Street

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STREET	FROM	TO
Alvarado Street	San Jose Avenue	Guerrero Street
Amethyst	Turquoise Way	101' West
Anthony	Jessie Street	56.8' West
Arnold	Crescent Avenue	Benton Avenue
Aztec Street	363.4' East	Coso Avenue
Beatrice	Ingalls Street	Espanola Street
Beatrice	Espanola Street	Lillian Street
Beatrice	Lillian Street	144.7' West
Bellair	Pfeiffer Street	Francisco Street
Benton Avenue	Arnold Avenue	Roscoe Street
Bessie Street	144.4' West	Manchester Street
Bessie Street	Manchester Street	Folsom Street
Boardman Place	Bryant Street	Fargo Place
Boardman Place	Fargo Place	Brannan Street
Bocana Street	43' North	Powhattan Avenue
Boutwell Street	274.1' North	Bayshore Blvd
Brooklyn	Sacramento Street	137.5' South
Carolina Street	15th Street	16th Street
Carolina Street	20th Street	Southern Height
Carolina Street	Carie Terrace	Wisconsin Street
Carpenter	Whitney Young	Cul-de-sac
Carter Street	Geneva Avenue	County Line
Cesar Chavez Street	Castro Street	175.2' West
Christmas Tree Point Rd	Twin Peaks Blvd	Christmas Tree Point Rd
Christmas Tree Point Rd	Christmas Tree Point Rd	Christmas Tree Point Rd
Church Street	18th Street	Hancock Street
Church Street	Hancock Street	19th Street

04/02/98
grh

STREET	FROM	TO
Church Street	19th Street	Cumberland
Church Street	Cumberland	20th Street
Cleo Rand ~~Street~~ Avenue	Donohue	634.4' West
Clinton Park	Stevenson Street	Valencia Street
Colin P Kelly Jr Street	Brannan Street	Townsend Street
Crestline	Parkridge Drive	93.6' North
Crestline	Burnett Avenue	Parkridge Drive
Darien	Junipero Serra	San Rafael Way
Darien	San Rafael Way	San Fernando Way
Darien	San Fernando Way	San Leandro Way
Darien	San Leandro Way	Santa Ana Avenue
Darien	Santa Ana Avenue	San Benito Way
Darien	Aptos Avenue	San Aleso Avenue
Darien	San Aleso Avenue	Westgate Drive
Darien	Westgate Drive	Mano Drive
Darien	Northgate Drive	Upland Drive
Davidson Avenue	3rd Street	Phelps Street
De Haro Street	25th Street	26th Street
Deming Street	90.6' East	Uranus Terrace
Detroit Street	Mangels Avenue	112' North
Donahue Street	Jerrold Avenue	Kirkwood Avenue
Dorantes Avenue	Pacheco Street	Magellan Avenue
Dorantes Avenue	San Marcos Avenue	Montalvo Avenue
Dorantes Avenue	Montalvo Avenue	Cortes Avenue
Dorantes Avenue	Cortes Avenue	377.7' West
Eagle Street	Yukon Street	Mono Street
Earl Street	La Salle Avenue	Kirkwood Avenue
Earl Street	Kirkwood Avenue	Jerold Avenue

STREET	FROM	TO
Elmwood Way	Faxon Avenue	116.1' West
Esmeralda Avenue	Alabama Street	Bradford
Esmeralda Avenue	Peralta Avenue	Franconia Street
Espanola Street	Beatrice Lane	Matthew Court
Espanola Street	Matthew Court	Rosie Lee Lane
Evans Avenue	Quint Street	Rankin Street
Everson Street	Cul-de-sac	Digby Street
Everson Street	Digby Street	Beacon Street
Falmount Street	Folsom Street	Shipley Street
Fern Street	Van Ness Avenue	Franklin Street
Gallagher	Tehama	Clementina Street
Gellert	Morningside Drive	Clearfield Drive
Grant Avenue	Columbus Avenue	Fresno Street
Grant Avenue	Fresno Street	Vallejo Street
Grant Avenue	Edith Street	Edgardo Place
Grant Avenue	Edgardo Place	Lombard Street
Harlan	Grant Avenue	137.5' East
Hemlock Street	Polk Street	Van Ness Avenue
Hillview	Whitney Young	Cul-de-sac
Ina	Mansfield Street	605.9' South
Jackson	Sansome Street	Battery Street
Jessie Street	5th Street	Mint Street
Jessie Street	9th Street	10th Street
John Muir	Lake Merced Blvd	Skyline Blvd
Julia Street	Mission Street	Minna Street
Julia Street	Minna Street	75.2' South
Kaplan	Clementina Street	Cul-de-sac
Kearny Street	Fresno Street	63.6' North
Kearny Street	La Ferrera Terrace	17' North

STREET	FROM	TO
King Street	2nd Street	3rd Street
King Street	3rd Street	4th Street
King Street	4th Street	5th Street
Kingston Street	San Jose Avenue	Mission Street
Laidley Street	30th Street	Noe Street
Lake Street	17th Avenue	18th Avenue
Landers Street	15th Street	Alert Alley
Landers Street	Alert Alley	16th Street
Lansing Street	1st Street	Guy Plaza
Lapu Lapu Street	Harrison Street	Rizal Street
Lapu Lapu Street	Rizal Street	Bonifacio Street
Larkin Street	142.4' South	Bay Street
Lily Street	Octavia Street	Laguna Street
Lily Street	Buchanan Street	260.2' West
Linares Avenue	Ortega Street	8th Avenue
Linares Avenue	8th Avenue	Ventura Avenue
Linares Avenue	Ventura Avenue	152.4' East
Lindsay	Whitney Young	Cul-de-sac
Mabini Street	Folsom Street	Bonifacio Street
Marina	Laguna Street	Buchanan Street
Marina	Buchanan Street	Webster Street
Martha Avenue	210.4' South	Stillings Avenue
Matthew	Espanola Street	Cul-de-sac
Michigan Street	24th Street	25th Street
Mint Street	5th Street	Jessie Street
Mirando	Cuvier Street	Milton Street
Mirando	Rousseau Street	Rotteck Street
Montezuma Street	Coso Avenue	Shotwell Street
Moraga Street	61.7' East	14th Avenue

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STREET	FROM	TO
Mountain Spring Avenue	Twin Peaks Blvd	Glenbrook Avenue
Natoma Street	New Montgomery	264.7' South
Natoma Street	8th Street	9th Street
Natoma Street	Lafayette Street	145' South
Newhall Street	Williams Avenue	Armstrong Avenue
Newhall Street	Armstrong Avenue	Carroll Avenue
Orben	Pine Street	California Street
Osceola	La Salle Avenue	La Salle Avenue
Pacheco Street	Merced Avenue	Dewey Blvd
Pacific Avenue	Walnut Street	Laurel Street
Palo Alto	354.9' East	Marview
Peralta Avenue	Ripley Street	Esmeralda Avenue
Pine Street	Dashiell Hammet	Powell Street
Point Lobos Avenue	48th Avenue	Merrie Way
Point Lobos Avenue	Merrie Way	Great Highway
Powhattan Avenue	Nebraska Street	Bradford Street
Putnam Street	Tompkins Avenue	Ogden Avenue
Quint Street	Jerrold Avenue	McKinnon
Quint Street	McKinnon	Newcombe
Rebecca	Keith Street	Cul-de-sac
Rio Verde Street	Velasco Avenue	County Line
Rosie Lee	Northridge Road	Espanola Street
Rosie Lee	Espanola Street	Lillian Street
Rosie Lee	Lillian Street	144.7' West
Rousseau Street	Cayuga Avenue	Alemany Blvd
Saturn Street	Lower Terrace	Temple Street
Shakespeare Street	Rhine Street	De Long Street
Shaw	Mission Street	Minna Street

STREET	FROM	TO
Stevenson Street	12th Street	150.9' South
Stevenson Street	Clinton Park	14th Street
Tennessee Street	20th Street	22nd Street
Toland Street	Napoleon Street	Galvez Avenue
Tompkins Avenue	Bradford Street	Peralta Avenue
Townsend Street	7th Street	Division Street
Treat Avenue	Bryant Street	Florida Street
Treat Avenue	19th Street	Mistral Street
Treat Avenue	Mistral Street	37 ft. South
Union Street	Battery Street	Icehouse Alley
Union Street	Icehouse Alley	Sansome Street
Vermehr Place	Kearny Street	97.5' East
Vienna Street	Avalon Avenue	Excelsior Avenue
Virginia Avenue	Prospect Avenue	Winfield Street
Visitacion Avenue	87.4' East	Bayshore Blvd.
Wisconsin Street	8th Street	16th Street

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

MARK A. PRIMEAU
Director of Public Works

DESIGNATION CERTIFIED BY:

DEPARTMENT OF PUBLIC WORKS

for HARLAN L. KELLY, JR.
City Engineer

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

JOHN D. MALAMUT
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
9-97-1.1

MAY - 1 1998

Date Approved

Mayor

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FILE NO. 9-97-3 ORDINANCE NO. 138-98

[Accepted Streets Official Record]

ADOPTING AS THE OFFICIAL RECORD OF ACCEPTED STREETS IN THE CITY AND COUNTY OF SAN FRANCISCO THE PUBLICATION ENTITLED "CITY MAINTAINED STREETS," DATED OCTOBER 31, 1997, AND AS SET FORTH IN DEPARTMENT OF PUBLIC WORKS ORDER NO. 170,718, DATED OCTOBER 31, 1997.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. **Findings.** (a) The Board of Supervisors has formally accepted for maintenance purposes numerous streets and street segments in the City and County of San Francisco pursuant to local and state law, including the California Streets and Highways Code Section 1806.

(b) The Board of Supervisors has reviewed and approves the listing of such accepted streets and street segments in the publication entitled "City Maintained Streets," dated October 31, 1997, and as set forth in Department of Public Works Order No. 170,718, dated October 31, 1997 (copies of which are in Clerk of the Board of Supervisors' File No. 9-97-3). The Board of Supervisors incorporates said publication and Order herein by reference.

Section 2. **Adoption of Publication Entitled "City Maintained Streets."**

(a) The Board of Supervisors hereby adopts the publication entitled "City Maintained Streets," dated October 31, 1997, and as

set forth in Department of Public Works Order No. 170,718, dated October 31, 1997 (copies of which are in Clerk of the Board of Supervisors' File No. 9-97-3), as the official record of those streets and street segments that have been accepted for maintenance purposes pursuant to local and state law, including the California Streets and Highways Code Section 1806.

(b) If a street or street segment is not listed in said publication on the effective date of this Ordinance, that street or street segment is deemed unaccepted for street maintenance purposes.

(c) Additional streets or street segments may be accepted for street maintenance purposes only if the City Engineer certifies that such streets or street segments are constructed to City standards pursuant to San Francisco Administrative Code Section 1.52 or a successor ordinance and the Board of Supervisors accepts such streets or street segments pursuant to applicable local and state law.

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

MARK A. PRIMEAU
Director of Public Works

DESIGNATION CERTIFIED BY:
DEPARTMENT OF PUBLIC WORKS

HARLAN L. KELLY, JR
City Engineer

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

JOHN D. MALAMUT
Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
April 13, 1998	April 20, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
9-97-3

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0259 ORDINANCE NO. 139-98

[Public Pay Telephone Revenues]

AMENDING ARTICLE 19, CHAPTER X, PART II OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTION 957 TO INCREASE THE AMOUNT OF REVENUES FROM PAY TELEPHONES ON PUBLIC SIDEWALKS PAID TO THE CITY AND COUNTY OF SAN FRANCISCO

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 19 of the San Francisco Public Works Code is hereby amended by amending Section 957 to read as follows:

SEC. 957. PERMITTEE SHALL MAKE PAYMENTS TO THE CITY AND COUNTY OF SAN FRANCISCO. (a) The permittee shall pay monthly to the City and County of San Francisco in lawful currency of the United States an amount of money equal to the greater of ((($50)) $75, or ((20)) 35 percent of the total gross receipts generated by the usage of each and every public telephone installed and maintained under the provisions of this Article. Such payments shall be made monthly by every permittee to the Controller of the City and County of San Francisco together with a full, true and correct statement of all its gross receipts from each and every public telephone for the preceding month. The permittee shall file with the Director of Public Works annual reports covering each 12-month period, ending June 30th. Such reports shall be submitted no later than 30 calendar days after the

end of each period and shall include the total number of public telephones in operation, the gross receipts and the total amount paid to the City and County of San Francisco for the last expired period.

(b) The permittee shall at all times keep and maintain a full, true and correct account of its gross receipts, of every kind and nature, including noncoin receipts and revenues from service enhancements, from each and every public telephone installed and maintained under the provisions of this Article, which said accounts, and all books, records, correspondence and documents of the company in connection therewith shall at all times be open to audit, inspection and examination by the Controller of said City and County of San Francisco.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: T. Bone
TRACI BONE
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed on First Reading

April 13, 1998

Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom
Teng Yaki Yee

§ Finally Passed
§
§ April 20, 1998
§
§
§ Ayes: Supervisors Ammiano Bierman
§ Brown Kaufman Medina Newsom Teng
§ Yaki Yee
§
§ Absent: Supervisor Katz

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
98-0259

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0328 ORDINANCE NO. 140-98

(Compensation)

ADOPTING AND IMPLEMENTING AMENDMENT NUMBER 1 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCALS 790, 535 AND 250 AND THE CITY AND COUNTY OF SAN FRANCISCO "Y" RATING THE PAY OF 2517 JAIL MEDICAL TECHNICIANS WHO RECEIVE STATUS TO THE CLASSIFICATION OF 2312 LVN ON OR BEFORE JUNE 30, 1998 AND PROVIDING FOR THE PLACEMENT OF SUCH EMPLOYEES AT STEP 5 OF THE 2312 LVN SALARY SCHEDULE EFFECTIVE JULY 1, 1998.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby adopts the provisions within its charter authority of Amendment Number 1 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 790, 535 and the City and County of San Francisco "Y" rating (freezing) the pay rate of 2517 Jail Medical Technicians who receive status to classification of 2312 LVN on or before June 30, 1998 and providing for the placement of such employees at step 5 of the 2112 LVN salary schedule effective July 1, 1998.

The Amendment to the Memorandum of Understanding so implemented is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

VICKI A. CLAYTON
Chief Labor Attorney

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
April 13, 1998	$	April 20, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0328

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0405 ORDINANCE NO. 141-98

[Cohen Place – Vacation and Lease]

ORDERING THE VACATION OF COHEN PLACE OFF ELLIS STREET BETWEEN LEAVENWORTH AND HYDE STREETS SUBJECT TO A SPECIFIED RESERVATION, AUTHORIZING THE LEASE OF SUCH PROPERTY ON A YEAR-TO-YEAR BASIS FOR ANNUAL RENT OF $1.00, AND WITHOUT COMPETITIVE BIDDING, TO THE 509 CULTURAL CENTER AND AUTHORIZING OTHER OFFICIAL ACTIONS IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO

Section 1. Findings

A. On the 25th day of March, 1998, the Board of Supervisors adopted Resolution No. 189-98 (the "Resolution"), being a Resolution of Declaration of Intention to Order the Vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets (the "Property").

B The Property is shown on the Department of Public Works SUR Drawing 1096, dated August 13, 1996, a copy of which is on file in the Office of the Clerk of the Board of Supervisors in File No. 98-0405.

C The Clerk of the Board of Supervisors transmitted to the Department of Public Works a certified copy of said Resolution, and the Director of Public Works caused notice of adoption of said Resolution to be posted in the manner required by law.

D When such matter was considered as scheduled by the Board of Supervisors at its regular meeting held in City Hall, San Francisco, on April 13, 1998, beginning at 3:00 p.m., the

Board heard all persons interested in said vacation.

E. The 509 Cultural Center proposed to lease the subject property, and from all evidence submitted at the hearing on the Resolution, the Board of Supervisors finds that except for an exclusive right reserved to City for the purpose of access for use, maintenance, repair and replacement of an existing sewer line and catch basin in the aforementioned lease, the street area described in said Resolution is unnecessary for present or prospective street purposes.

F. The public convenience and necessity will be better served by requiring that the vacation be undertaken as declared in the Resolution, subject to the Resolution. The Board of Supervisors has jurisdiction to order such vacation.

G. By letter dated September 30, 1996, a copy of which is on file in the Office of the Clerk of the Board of Supervisors in File No. 98-0405, the Department of City Planning found that the proposed street vacation and use described below are in conformity with City's General Plan, including the street vacation and easement criteria in the Urban Design Element, and with the Eight Priority Policies of City Planning Code Section 101.1. In the Resolution, the San Francisco Board of Supervisors adopted as its own and incorporated by reference the findings in the Department of City Planning's letter of September 30, 1996.

H The 509 Cultural Center has requested to lease Cohen Place, located off Ellis Street between Leavenworth and Hyde Streets, on a year to year term, at an annual rent of $1.00 after the vacation of Cohen Place.

I The 509 Cultural Center is a non-profit organization that will operate the Property as a public arts, community project, and neighborhood commons, to transform Cohen Place into a safe and beautiful space for residents

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J. The 509 Cultural Center is the only multicultural, interdisciplinary creative arts center in the Tenderloin.

K. The 509 Cultural Center lease appears to provide a public benefit; as such, the Director of Property has determined the annual rent of the Property to be a nominal value of One Dollar ($1.00) and the 509 Cultural Center has agreed to pay such rent to City. The Board of Supervisors hereby finds that it is in the best interest of City to lease the Property based on direct negotiations with the 509 Cultural Center, without a competitive bid process. Competitive bidding in this situation would be impractical or impossible.

Section 2. Pursuant to Sections 8320 et seq. of the Streets and Highways Code, Cohen Place, as described in Department of Public Works SUR Drawing No. 1096 dated August 13, 1996, a copy of which is on file in the Office of the Clerk of the Board of Supervisors in File No. 98-0405, is hereby ordered to be vacated subject to an exclusive right reserved to City for the purpose of access for use, maintenance, repair and replacement of an existing sewer line and catch basin.

Section 3. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, are hereby authorized to execute a lease, as approved by the City Attorney, leasing a surface use of the Property to the 509 Cultural Center without competitive bidding because in this instance competitive bidding would be impractical or impossible.

Section 4. Whenever the Lease requires or permits the giving by City of its consent or approval, or whenever an amendment, waiver, notice, or other instrument or document is to be executed by or on behalf of City, the Director of Property of the City, or his or her designee, shall be authorized to execute such instrument on behalf of City, except as otherwise provided by applicable law, including City's Charter

Section 5. The Clerk of the Board of Supervisors is hereby directed to transmit to the Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and the Director of Public Works are hereby directed to proceed thereafter as required by law.

RECOMMENDED:

Director of Public Works

Director of Property

DESCRIPTIONS APPROVED/CHECKED:

Deputy Director of Public Works & City Engineer

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

AJD kb

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0405

MAY - 1 1998
Date Approved

Mayor

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FILE NO. 98-0424 ORDINANCE NO. 142-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 336 IN THE FLINT AND 16TH STREET AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 336

(Flint and 16th Street)

District covering 16th Street from the westerly line of Castro Street westerly to the end, and Flint Street, from the northerly line of 16th Street northerly to dead end.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires

Supervisors Medina, Bierman

BOARD OF SUPERVISORS

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Sayasian
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0424

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0425 ORDINANCE NO. 143-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 337 IN THE POTOMAC/WALLER AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 337

(Potomac/Waller)

District covering Waller Street from Steiner Street to Scott Street, Potomac Street from Waller Street to dead end south, and Pierce Street from Waller Street to dead end south.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires.

Supervisors Medina, Bierman

BOARD OF SUPERVISORS

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Boggian
Deputy City Attorney

APPROVED:

Mark A. Primeau AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0425

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0482
(Government Funding)

ORDINANCE NO. 144-98
RO#97228
SA#87

$1,809,941

APPROPRIATING ~~$1,836,338~~ FROM THE GENERAL FUND RESERVE TO FUND FORTY EIGHT (48) PARKING CONTROL OFFICERS, VEHICLES, EQUIPMENT, MATERIALS, AND CONTRACTUAL SERVICES AT THE DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1997-98.

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA	UN-UNA	FCZ	
General Fund	General Unallocated	General City Responsibility	
Funding Sources			
097-097GR (*CON1GAGFAAA)	General Reserve	$1,809,941 ~~$1,836,338~~	
Fund	**Department**	**Program**	
1G-AGF-AAA	PTC03	BKQ	
General Fund	Parking & Traffic-Enforcement	Enforcement	
Funding Uses			
001-00101 (365022)	Permanent Salaries		$223,808 ~~$245,096~~
001-00901 (365022)	Premium Pay		$14,094
013-01900 (365022)	Mandatory Fringe Benefits		$59,689 ~~$64,790~~
021-02700 (365022)	Professional Services		$9,775
040-04000 (365022)	Materials & Supplies		$110,725
060-06000 (365022)	Equipment		$1,321,325
081-081EL (365022)	Services of Other Department-Electricity		$70,525
	Total	$1,809,941 ~~$1,836,338~~	$1,809,941 ~~$1,836,338~~

(Supervisors Teng, Kaufman, Newsom)

BOARD OF SUPERVISORS

Section 2 Funds are appropriated for the creation of Forty Eight (48) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 98-0483) as follows:

Class No.	Classification Title	Rate	Number of Positions Created
Program: BKQ - Enforcement			
Index Code No. 365022; Sub-Object: 001-00101.			
8214 N	Parking Control Officer	1157B1391	43
8216 N	Senior Parking Control Officer	1377B1661	5
	Total Positions Created		48

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY: _____
ANDREA R. GOURDINE, DIRECTOR

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BOARD OF SUPERVISORS

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MAY 20 1998
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Board of Supervisors, San Francisco

Passed on First Reading

April 13, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

Finally Passed

April 20, 1998

Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee

Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0482

MAY - 1 1998

Date Approved

Mayor

FILE NO. 98-0483 ORDINANCE NO. 145-98

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 21

AMENDING ORDINANCE NO. 307-97 (ANNUAL SALARY ORDINANCE, 1997/98) REFLECTING THE CREATION OF 48 NEW POSITIONS IN THE DEPT. OF PARKING AND TRAFFIC.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 307-97, (Annual Salary Ordinance, 1997/98) are hereby amended so that the same shall read as follows:

Department: PTC Parking Traffic Commission
Program: BKQ Enforcement
Sub-Fund: 1G AGF AAA GF-Non-Project-Controlled

Amendment	No. Pos.	Class and Item No.	Compensation Schedule
43.00 Added	43.00	8214 N Parking Control Officer.....SC	$1157B1391
5.00 Added	5.00	8216 N Senior Parking Control Officer.....SC	$1377B1661

APROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By:
DEPUTY CITY ATTORNEY

NO. 21

(Supervisor Teng, Kaufman, Newsom)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading
April 13, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

Finally Passed
April 20, 1998

Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee

Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0483

MAY - 1 1998
Date Approved

Mayor

DOCUMENTS DEPT
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FILE NO. 98-0487
(Government Funding)

ORDINANCE NO. 146-98

RO#97227
SA#81

APPROPRIATING $323,484 FROM GASOLINE TAX FUND TO EXTEND AND EXPAND THE RED LIGHT PHOTO ENFORCEMENT PROJECT AT THE DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
2S-GTF-RDF Gasoline Tax Fund	PTC04 Parking and Traffic-Traffic, Engineering & Operations	BKG Traffic Engineering & Operations	
Funding Sources			
250-25110 (365010)	Traffic Fines - Moving	$323,484	
091-0933S (xxxxxxxxxx)	Operating Transfer Out to 3C-SIF-LOC; Street Improvement Capital Projects		$323,484
	Total	$323,484	$323,484
Fund	**Department**	**Program**	
3C-SIF-LOC Street Improvement Capital Project	PTC04 Parking & Traffic	BKG Traff c, Engineering & Operations	
Funding Sources			
Project			
CPK525-TA952A	Red Light Camera Enforcement		
910-9302J (xxxxxxxxxxxx)	Operating Transfer In from 2S-GTF-RDF; Gasoline Tax Fd.	$323,484	
Funding Uses			
001-00501 (360292)	Salary - Temporary		$6,971
013-01900 (360292)	Fringe Benefits		$1,743
021-02700 (360292)	Professional Services		$286,770
081-081WE (360292)	Services of Other Department-DPW-Engineering		$20,000
081-081WM (360292)	Services of Other Department - DPW-Construction Management		$8,000
	Total	$323,484	$323,484

(Supervisors Teng, Kaufman, Newsom), Katz

BOARD OF SUPERVISORS

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY _____
DEPUTY CITY ATTORNEY

n\excel\approv\36sa#81

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman	§	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	§	Brown Kaufman Medina Newsom Teng
Teng Yaki Yee	§	Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0487

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0506
(Government Funding)

ORDINANCE NO. 147-98
RO#97230
SA#92A-C

APPROPRIATING $2,638,924 OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) FOR SALARIES, FRINGE BENEFITS, PROFESSIONAL AND CONTRACTUAL SERVICES, EQUIPMENT, SERVICES OF OTHER DEPARTMENTS (ADULT PROBATION) AND FOR THE CREATION OF NINE (9) COMMUNITY BASED PROBATION OFFICER POSITIONS AT THE JUVENILE PROBATION DEPARTMENT FOR FISCAL YEAR 1997-98. TO PROVIDE COUNSELING, HOME-BASED SUPERVISION, AND OTHER SERVICES FOR JUVENILES.

Be it ordained by the people of the City and County of San Francisco

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
2S-PPF-FRC Public Protection-Federal-Rec. Grant	JUV01 Juvenile Probation Services	AKC Juvenile Probation Services	
Funding Sources			
Grant No. JVTANF-9801	Juvenile Probation - TANF		
400-40199 (120004)	Other Federal Revenues-TANF	$2,638,924	
Funding Uses			
001-00101 (120004)	Permanent Salary		$905,708
013-01901 (120004)	Fringe Benefits		$258,786
021-02700 (120004)	Professional Services		$1,439,601
060-06000 (120004)	Equipment		$10,829
081-081AP (120004)	Services of Other Department-Adult Probation		$24,000
	Total	$2,638,924	$2,638,924

BOARD OF SUPERVISORS

Section 2 Funds are appropriated for the creation of Nine (9) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 98-0507) as follows:

Class No.	Classification Title	Rate	Number of Positions Created
Program AKC-Juvenile Probation Services Index Code 120004, Sub-Object - 001-0101			
8444 L	Deputy Probation Officer	1329B2053	9

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY Andrea R Gourdine
ANDREA R. GOURDINE, DIRECTOR

BOARD OF SUPERVISORS

DOCUMENTS DEPT
MAY 20 1998

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
	§	
April 13, 1998	§	April 20, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman	§	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	§	Brown Kaufman Medina Newsom Teng
Teng Yaki Yee	§	Yaki Yee
	§	
	§	Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0506

MAY - 1 1998
Date Approved

Mayor

FILE NO. 98-0507 ORDINANCE NO. 148-98

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 22

AMENDING ORDINANCE NO. 307-97 (ANNUAL SALARY ORDINANCE, 1997/98) REFLECTING THE CREATION OF NINE (9) NEW POSITIONS IN THE JUVENILE PROBATION DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 307-97, (Annual Salary Ordinance, 1997/98) are hereby amended so that the same shall read as follows:

Department: JUV Juvenile Probation
Program: AKC Probation Services
Sub-Fund: 2S-PPF-FRC Public Protection-Rederal-Rec. Grant

Amendment	No. Pos.	Class and Item No.	Compensation Schedule
9.00 Added	9.00	8444 L Deputy Probation Officer.....SC	$1329B2053

APROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Andrea R. Gourdine
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By
DEPUTY CITY ATTORNEY

NO. 22

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading
April 13, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

Finally Passed
April 20, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisor Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0507

MAY - 1 1998
Date Approved

Mayor

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100 Larkin Street
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[CALM--Cash Assistance Linked to Medi-Cal]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING ARTICLE X TO CHAPTER 20 THERETO, ENCOMPASSING SECTIONS 20.100 TO 20.124, TO ESTABLISH A CASH ASSISTANCE PROGRAM FOR INDIVIDUALS WHO ARE ELIGIBLE FOR MEDI-CAL DUE TO AGE OR DISABILITY, BUT WHO ARE NOT ELIGIBLE FOR SUPPLEMENTAL SOCIAL SECURITY INCOME (SSI).

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Article X to Chapter 20, encompassing Sections 20.100 to 20.124, to read as follows:

ARTICLE X

SEC. 20.100. TITLE. This Article shall be known as the "Cash Assistance Linked to Medi-Cal" or "CALM."

SEC. 20.101. PURPOSE AND INTENT. The purpose of this Program is to provide cash payments to those individuals, and their spouses and minor children, who have been determined to be eligible for Medi-Cal, the state health care program as set forth in California Welfare & Institutions Code §§ 14,000 et seq., on the basis of being aged, blind or disabled, and who meet specific financial criteria,

but who are not eligible for federal disability payments from the Social Security Administration (SSI benefits), and/or state supplemental disability payments (SSP).

It is the intent of the Board of Supervisors of the City and County of San Francisco (City) that only individuals who receive Medi-Cal, because they have been determined to be aged, or disabled by the federal and/or state government authorities under the Disability Evaluation Determination (DED) guidelines, Title II or Title XVI of the Social Security Act, 42 U.S.C. § 301, et seq., or successor federal and/or state law shall receive a cash supplement under this Article.

SEC. 20.102. DEFINITIONS. For purposes of this Article:

(a) "applicant" means a person who is in the process of applying for benefits under this Article.

(b) "assistance" means services and/or cash payments.

(c) "CalWORKs" means the California Work Opportunity and Responsibility to Kids as defined Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code or any successor program.

(d) "decrease" means any reduction in a recipient's current cash payment amount under this Article.

(e) "denial" means a determination, based on an CALM application, that the applicant is not eligible for CALM.

(f) "Department" means the Department of Human Services.

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(g) "discontinuance" means the termination of a recipient's assistance.

(h) "electronic benefit transfer" means a method of transferring benefits through a centralized computer system so that an applicant/recipient may obtain her/his benefits at facilities such as automated teller machines (ATM) and point-of-sale (POS) terminals using an access device such as a magnetic stripe plastic card. "electronic benefit transfer" includes direct deposits.

(i) "eligible for Medi-Cal" means that an applicant/recipient is a current Medi-Cal beneficiary for reasons of being aged or disabled.

(j) "Executive Director" means the Executive Director of the Department of Human Services.

(k) "Family Budget Unit" means a Medi-Cal Family Budget Unit as defined in Title 22 of the California Code of Regulations, §§ 50371 et. seq.

(l) "General Assistance" means the General Assistance Program as set forth under Article VII of this Chapter of the San Francisco Administrative Code (S.F. Adm. C. §§20.55, et seq.).

(m) The word "may" means the provision is permissive.

(n) "Medi-Cal" means the Medi-Cal Program as set forth in California Welfare & Institutions Code §§ 14000 et seq.

(o) "PAES" means the Personal Assisted Employment Services Program as set forth under Article IX of this Chapter.

(p) "recipient" means a person who is receiving assistance under this program.

(q) "recoupment" means the collection of past overpayments under the CALM Program by deducting from current payments not more than 10 percent of the current payment amount absent an administrative determination of recipient fraud and not more than 40 percent with an administrative determination of recipient fraud and an administrative evaluation of the recipient's current ability to make repayments.

(r) "residing in an institution" shall mean that the applicant/recipient is staying in a facility that provides housing and three meals a day.

(s) The word "shall" means the provision is mandatory.

(t) "SSA" means the Social Security Administration.

(u) "SSI" means Supplemental Security Income.

(v) "SSIP" means the Supplemental Security Income Pending Program as set forth under Article XI of this Chapter.

(w) "State" means the State of California.

(x) "SSI/SSP" means Supplemental Security Income/State Supplementary Program for the Aged, Blind, and Disabled as defined in the Welfare and Institutions Code Section 12000, et seq.

(y) "TANF" means Temporary Assistance to Needy Families as defined in Part A (commencing with section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code.

(z) The word "withholding" means the retention of payments.

SEC. 20.103. PRINCIPLES. Assistance is to be administered in a manner which is consistent with the purposes of this program and which respects individual privacy and personal dignity:

(a) CALM is to be administered promptly and humanely, without discrimination on account of race, sex, sexual orientation, religion or political affiliation.

(b) CALM is to administered so as to encourage self-respect, self-reliance and the desire to be a good citizen, useful to the community.

(c) CALM is to be administered with courtesy, consideration and respect and without attempting to elicit any unnecessary information.

(d) Duties should be performed in such a manner as to secure for every applicant or recipient the assistance to which s/he is eligible.

(e) There is to be no question, inquiry or recommendation relating to the political or religious opinions or affiliations of any applicant or recipient.

(f) CALM is to be administered in the most cost-effective manner possible.

SEC. 20.104. ADMINISTRATION. (a) This program shall be administered by the Department of Human Services. The Executive Director shall establish the rules and regulations, consistent with this Article, for the proper administration of CALM.

(b) In actual emergencies, the Executive Director of the

Department of Human Services may make exceptions to this Article pending action by the Board of Supervisors. Such action shall be reported to the Board of Supervisors within five working days.

SEC. 20.105. ELIGIBILITY. (a) In order to be eligible to receive CALM, an applicant must submit, to the Department, a complete Medi-Cal application, as required by State law. Upon determination that the applicant is eligible for Medi-Cal benefits for the aged, blind or disabled, based upon State eligibility criteria, the applicant, and her/his spouse, and/or minor children, will be eligible for CALM.

(b) An individual serving a sanction for fraud under any county-funded indigent assistance program under this Chapter is ineligible to receive CALM until that sanction period is completed.

(c) All applicants/recipients, and all members of the Family Budget Unit are required to apply for, and pursue receipt of payment(s) from any and all federal, state, and/or private means of assistance for which they may be eligible as directed by the Department. This includes, but is not limited to: (1) Unemployment Insurance Benefits; (2) Worker's Compensation Insurance; (3) SSI; (4) retirement benefits, and (5) any other insurance or disability payments. Failure to apply for, and pursue receipt of, any such assistance to which an applicant/recipient, or any member of the Family Budget Unit, may be eligible shall be considered to be a failure to meet continuing eligibility requirements of this Article.

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(d) Individuals residing in an institution are not eligible to receive assistance under this Article.

(e) Applicants may be required to attend group orientation session(s), and failure to do so shall be grounds for denial of assistance.

SEC. 20.105.1. RESIDENCY. (a) Applicants for CALM must reside in the City and County of San Francisco for fifteen (15) continuous days prior to the date of application for CALM payments. Residence in the City and County of San Francisco is established by physical presence and intent to reside, which is satisfactorily demonstrated by the applicant.

(b) Eligibility for CALM will terminate immediately upon abandonment of residency in the City and County of San Francisco.

SEC. 20.105.2 LABOR DISPUTE. Unemployment due to a bona fide strike, lockout, or other labor dispute shall not effect eligibility provided that the applicant meets all other eligibility requirements.

SEC. 20.105.3 REBUTTABLE PRESUMPTION OF INELIGIBILITY – CURRENT INCOME OR EXPENSES. Verified paid income, or expenses which exceed the otherwise eligible applicant/recipient's total monthly income and/or assets, during month of application or a current month of eligibility shall create a rebuttable presumption of ineligibility for CALM.

SEC. 20.105.4. ALLOWABLE REAL PROPERTY. (a) The applicant shall transfer or grant to the City and County of San Francisco any interest which the applicant has in any real property as security for the funds expended for assistance.

(b) An applicant or recipient of CALM may retain real property used as her/his home, provided that the applicant's or recipient's net monthly housing expense does not exceed the otherwise eligible applicant/recipient's total monthly income and/or assets.

SEC. 20.105.5. ALLOWABLE PERSONAL PROPERTY. No payments under this Article shall be made to any person who has not exhausted all assets and resources available to such person, except for cash assets, savings and/or checking accounts, the total of which does not exceed the current monthly Medi-Cal maximum assets amount for the Family Budget Unit.

SEC. 20.105.6. EXEMPT INCOME OR RESOURCES. For the purpose of this Article:

(a) Personal property, income or resources shall not include income from relocation payments to individuals receiving assistance under this Article being displaced by a redevelopment agency.

(b) Retirement benefits may be retained upon determination by the Executive Director or his or her designee that the applicant or recipient will be reemployed in the near future and that such employment is contingent upon the retirement fund not being withdrawn.

(c) Any verified loans made to a recipient, or to an applicant in the month of application, or one month immediately prior to application, for the purpose of enabling that recipient or applicant to pay his or her rent, or for the purpose of payment of first and last month's rent and any lawful rental deposit, shall not be considered income or resources available to that recipient or applicant.

(d) Income tax refunds, including the Earned Income Tax Credit (EITC), issued to the applicant or recipient shall not be considered as income or resources available to the applicant or recipient.

(e) Payments made to the applicant or recipient under the Foster Care or FSET/GATES programs shall not be considered as income or resources available to the applicant or recipient.

(f) SSI/SSP benefits and resources of a member of the CALM family shall not be considered as income or resources available to the applicant or recipient

(g) The portion of any student grants or loans that is paid directly to the educational institution for tuition, and/or fees, and/or books.

SEC. 20.105.7. EXEMPTION FOR TERMINAL ILLNESS. Terminally ill applicants with medical verification that such applicant has a remaining life expectancy of six months or less are exempt from:

(a) Providing documentation of legal status in the United States;

(b) The provisions of this Article regarding the cash value of a vehicle, provided that the applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical treatment, and that he or she is physically and/or mentally unable to use public transportation;

(c) The provisions of this Article regarding the requirement to obtain and present any photo identification.

Such applicants shall meet all other eligibility requirements.

There shall be no time limit to the duration of eligibility for CALM authorized under this Section.

SEC. 20.105.8. INELIGIBILITY OF INDIVIDUALS WHO ARE MEMBERS OF A CALWORKS ASSISTANCE UNIT. (a) Any individual who is a member of an assistance unit receiving aid under Chapter 2 (commencing with Section 11200) of Part 3 of the California Welfare & Institutions Code (CalWORKs), shall not be eligible for CALM under this Article if the individual has been determined ineligible for CalWORKs pursuant to Welfare & Institutions Code Section 11251.3.

(b) Any individual who is not eligible for aid under CalWORKs pursuant to Welfare and Institutions Code Section 11454(b) shall not be eligible for CALM until all of the children of the individual on whose behalf aid was received, and who live in the home with the individual, are 18 years of age or older.

(c) Any individual who is receiving aid under CalWORKs on behalf of an eligible child, but who is either ineligible for aid

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or whose needs are not otherwise taken into account in determining the amount of aid to the family pursuant to Section 11450 of the Welfare and Institutions Code due to the imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.

(d) The Executive Director, in her/his sole discretion may grant an exception to this section.

SEC. 20.105.9. INELIGIBILITY OF FLEEING FELONS. (a) An individual shall not be eligible for CALM if he or she is:

Fleeing to avoid prosecution, or custody and confinement after conviction, under the laws of the place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual is fleeing, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of that state.

(b) Subdivision (a) shall not apply with respect to conduct of an individual for any month beginning after the President of the United States grants a pardon with respect to the conduct.

SEC. 20.105.10. PHOTO IDENTIFICATION. (a) Each applicant shall present proof of identity and a verifiable social security number. The following forms of photo identification shall be accepted:

(1) California Department of Motor Vehicles Driver's License.

(2) California Department of Motor Vehicles Identification Card.

(3) Current United States Passport provided that such Passport contains a photo taken of applicant/recipient when s/he was at least 18 years of age.

(4) Current Immigration and Naturalization identification, provided that such identification contains a photo which was taken of the applicant/recipient when s/he was at least 18 years of age and was taken within ten years prior to the date of application of the applicant/recipient.

(5) Other forms of identification which are acceptable under Medi-Cal regulations.

(b) In addition, the Department may require applicants and recipients to obtain and present Department-issued identification.

SEC. 20.105.11. FINGERPRINT INFORMATION. All applicants for, and recipients of, CALM shall be fingerprinted at the Department or at a Department-approved facility in accordance with procedures established by the Executive Director. These records shall be used exclusively to prevent multiple payments under this Article or any other Federal, State or County assistance program. The Executive Director is authorized to create, by regulation, exemptions from this requirement based on physical or mental disability. The refusal of

an applicant or recipient to comply with the fingerprint procedures shall be grounds for denial of, or discontinuance from, CALM.

Fingerprints gathered under this section are subject to all applicable federal and state laws governing the confidentiality of information regarding applicants for, or recipients of, public benefits.

SEC. 20.105.12. REIMBURSEMENT AGREEMENT. All applicants for CALM shall sign an Interim Assistance Reimbursement Agreement, in the event that the applicant/recipient is subsequently awarded SSI.

SEC. 20.106. CALM PAYMENTS. (a) For each eligible individual or for each eligible Family Budget Unit of two or more persons who qualify for assistance under the CALM Program, the maximum monthly payment amount which recipients shall receive is listed below.

MAXIMUM CALM PAYMENT AMOUNT

Single Individual..... $345

Number of Eligible Persons in Same Family

2 Persons $567

3 Persons $703

4 Persons $834

5 Persons $952

6 Persons $1070

7 Persons $1175

8 Persons $1281

9 Persons $1388

10 Persons $1508

In the case of more than 10 persons in a Family Budget Unit, an additional $25 each month shall be paid for each additional person in the Family Budget Unit. For Family Budget Units in which members receive cash payments from more than one Federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the aid payment for a Family Budget Unit of the same size within each program to which each member is eligible.

(b) The maximum monthly CALM payment for which an applicant is eligible shall be the maximum monthly CALM payment prorated as the eligibility determination date, minus any non-exempt cash available to the applicant during that calendar month, and minus the fair market value of any nonexempt personal property available to the applicant during that calendar month. A rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized to prevent eviction from existing housing.

(c) The maximum monthly CALM payment for which a recipient is eligible shall be the maximum CALM payment less any non-exempt cash received from sources other than CALM which is available to the recipient during the month for which assistance is paid, and less the fair market value of any nonexempt personal property which is, or

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will be, available to the recipient during the month for which assistance is paid.

(d) No CALM payment shall be issued for less than $5.00.

(e) CALM may be provided in the form of vouchers, checks, two-party checks, warrants, electronic benefit transfers, in-kind benefits, and/or through third party contracts.

(f) CALM payments may be made payable only to the recipient or, upon the recipient's written authorization, to the recipient and a designated co-payee, or to a representative payee.

(g) CALM payments may be mailed directly to the recipient or to the designated representative payee. CALM payments may be made by electronic benefit transfer. CALM payments may be picked up at a location designated by the Department. CALM payments shall not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.

(h) The Maximum CALM Payment Amounts listed in Section 20.106(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.

SEC. 20.106.1. EARNED INCOME DISREGARD. (a) The Executive Director of the Department of Human Services may establish an Earned Income and Asset Disregard Program for recipients who are employed.

The Earned Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income which a recipient earns as wages and savings derived therefrom when determining a recipient's CALM eligibility and grant amount.

(b) The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first $200 of recipient gross wage earnings; (2) two-thirds of the next $150 of recipient gross wage earnings; (3) one half of the next $150 of recipient gross wage earnings; (4) one third of the next $150 of recipient gross wage earnings; and (5) one fifth of the next $150 of recipient gross wage earnings. All recipient gross wage earnings above $800 shall be offset on a dollar-for-dollar basis against the grant amount to which a recipient would otherwise be entitled.

(c) In addition, for recipients in this program, up to $2,000 of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the individual recipient's participation in this program and for up to three months thereafter.

(d) If, as a result of retrospective budgeting, a recipient's total currently available financial resources in a month including her/his adjusted CALM grant, wages, and savings are less than the maximum CALM grant, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rent in that month and up to $50 in cash so that the recipient's currently available financial resources may total up to the maximum CALM grant amount. This grant supplement is available a maximum of three times

per year for program recipients and is not available to recipients who quit a job without good cause.

(e) Recipient gross wage earnings are defined for purposes of this Section as any income received by the recipient as payment for a recipient's labor. All other recipient income and assets shall continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a recipient is otherwise eligible. For individuals participating in this program, the CALM grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a recipient's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for assistance.

SEC. 20.106.2. HOUSING. (a) There shall be no reduction in the CALM payment an applicant/recipient receives because she/he shares housing with others who are not members of the applicant's Family Budget Unit as defined under this Article. Where an applicant obtains rent free housing, such housing shall be valued according to Value of Income-in-Kind Chart set forth under Title 22 of the California Code of Regulations, § 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the rent free housing, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly payment amount. In addition, all applicants and recipients shall be required to present a verifiable rent receipt. If the

applicant or recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's or recipient's place of residence and share of housing costs.

(b) Verified payments made directly to a housing provider on behalf of an applicant or recipient for the entire amount of the rent and/or utilities, or rent free housing, or housing received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart and that value shall be deducted from the maximum monthly payment to which that applicant or recipient is eligible.

(c) Nothing in this Section shall be construed as requiring an otherwise eligible applicant or recipient to accept housing in a facility which is either the subject of a pending nuisance abatement proceeding before a duly authorized agency or department of the City and County or before a court of competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a duly authorized agency or department of the City and County or by a court of competent jurisdiction and which nuisance has not been abated.

SEC. 20.106.3. ALTERNATIVE PAYMENTS METHODS; DIRECT PAYMENTS TO ROOM AND BOARD FACILITIES PERMITTED. In addition to the emergency aid provisions of this Article, payment for room, food expense, or both, up to the CALM Grant Amount, may at the applicant's/recipient's

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option, be paid directly to any board and/or care facility should the applicant/recipient choose to reside, take her/his meals or have full room and board privileges at such facilities. The Executive Director may initiate such a program or payment arrangement, on either a pilot or continuing basis, by putting into effect the appropriate regulations.

SEC. 20.106.4. SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY. (a) The Department of Human Services may provide transportation and maintenance en route to a place out of the City and County where the applicant/recipient will be cared for or her/his interests best served, provided the applicant/recipient, but for fully meeting the residency requirement, is otherwise eligible and voluntarily enters into a signed contractual agreement regarding such transportation with the City and County of San Francisco. Said agreement shall contain a repayment provision permitting recoupment of the amount expended in providing such transportation at a rate not to exceed 10 percent of each payment amount should the person provided transportation thereafter reapply and become eligible for CALM.

(b) Transportation under this Section shall be provided by the least expensive means available.

SEC. 20.107. CONTINUING ELIGIBILITY. (a) Persons who meet the requirements for eligibility for CALM shall receive cash payments pursuant to this Article. Recipients are required to comply with all

applicable provisions of this Article and the regulations promulgated thereunder. Recipients who fail to comply with applicable provisions of this Article and the regulations promulgated thereunder may have their assistance withheld and/or decreased and/or discontinued as set forth in Department regulations.

(b) No withholding, decrease, or discontinuance of assistance shall occur unless the person to be affected has been advised of the possibility of such action by means of a Notice of Proposed Action and has been afforded the opportunity for a hearing to dispute the proposed action.

SEC. 20.107.1. COMPLIANCE WITH MEDI-CAL REGULATIONS. Continuing eligibility for CALM shall be dependent upon continuing eligibility for Medi-Cal benefits for the aged or disabled. All recipients of CALM payments must comply with all applicable Medi-Cal regulations. Termination of Medi-Cal eligibility terminates eligibility for CALM. Any individual who is no longer eligible for CALM may apply for General Assistance, PAES, SSIP or any other federal, state or county-funded cash assistance program in accordance with the rules and regulations of that program.

SEC. 20.108. TIMING OF CALM PAYMENTS. (a) Emergency Assistance. The Department may provide emergency assistance. The Executive Director of the Department of Human Services is authorized to contract with social service agencies for the provision of

emergency assistance.

(b) Normal Payment Periods. The Executive Director is authorized to establish normal payment periods of either twice monthly or once monthly.

SEC. 20.109. TIME LIMITS. There shall be no time limit to the receipt of CALM payments.

SEC. 20.110. IMMEDIATE TERMINATION OF ELIGIBILITY. Occurrence of the following events shall result in the immediate termination of eligibility for assistance under this Article: (1) receipt of SSI payments; (2) death of the recipient; (3) applicant/recipient request; (4) abandonment of county residency; (5) institutionalization; or (6) termination of Medi-Cal eligibility. Discontinuance of assistance due to the death of the recipient, or at the request of the applicant/recipient is subject to the notice provisions of Section 20.115(a); however, such discontinuances do not require ten (10) calendar day prior notice as specified in Section 20.115(b). All other discontinuances under this Section do require ten (10) calendar day prior notice as specified in Section 20.115(b).

SEC. 20.111. CHANGES IN CALM PAYMENTS. (a) Changes in cash payments shall be made when a CALM recipient becomes eligible for a payment in an different amount because of altered circumstances.

(b) A change in payment shall be made effective with the next

regular pay date following knowledge by the worker of circumstances warranting a change in payment, in conformance with the notice and hearing requirements of this Article.

SEC. 20.112. LOST, FORGED OR STOLEN WARRANTS AND LOST OR STOLEN WARRANT PROCEEDS. (a) Lost, forged, or stolen warrants may be replaced only in accordance with specific procedures adopted by the Department.

(b) If a warrant has been cashed by the recipient and the money lost or stolen, no replacement of the warrant or issuance of orders shall be permitted.

SEC. 20.113. INELIGIBILITY FOR GENERAL ASSISTANCE, PAES, SSIP OR OTHER COUNTY-FUNDED ASSISTANCE. Recipients of CALM payments are not eligible for General Assistance, PAES, SSIP or any other county funded cash assistance programs.

SEC. 20.114. DISCONTINUANCE FROM THE MEDI-CAL PROGRAM. If a CALM recipient who has been discontinued from Medi-Cal decides to appeal that action, and continues to receive Medi-Cal benefits pending that appeal, that individual shall also continue to receive CALM payments pending the final administrative decision regarding discontinuance of Medi-Cal benefits. If the discontinuance from Medi-Cal is upheld, the Department may not collect any CALM payments pending, unless ineligibility for Medi-Cal is due to fraud.

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MAY 27 1998
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SEC. 20.115. NOTICE OF PROPOSED ACTION. (a) The Department shall issue a Notice of Proposed Action whenever it intends to deny, withhold, decrease or discontinue CALM payments. That notice shall state with reasonable particularity the legal and factual basis for the proposed action.

(b) Proposed Notices of Action regarding withholding, reduction, or discontinuance from CALM shall be hand delivered or mailed at least ten (10) calendar days prior to the effective date of the proposed action.

SEC. 20.116. HEARINGS. (a) An applicant for, or a recipient of, may challenge any denial, withholding, decrease or discontinuance by requesting an administrative hearing.

(b) A request for an administrative hearing must be made to the Department within seven (7) calendar days of the date of hand delivery, or ten (10) calendar days of the date of mailing of the Proposed Notice of Action, or within three (3) work days of the effective date of the action. Hearing requests that are not made in accordance with the time requirements shall be denied unless the applicant or recipient can establish good cause for failure to make a timely request.

SEC. 20.116.1. HEARING; NOTICE OF HEARING; WHEN HELD. (a) After a hearing has been requested, a time and place for the hearing shall be established. Notice shall be given to the applicant or recipient

indicating the day, date, time, and place of the hearing. In no event shall a hearing date be scheduled for a time less than five days after the Department's receipt of a request, unless the applicant makes a knowing and intelligent waiver of his or her right to a record review.

(b) Where an applicant for CALM is denied assistance, a hearing shall be calendared within seven days of the date of the hearing request.

(c) All hearings shall be held within 30 calendar days of the request therefor.

SEC. 20.116.2. CALM PAYMENTS PENDING. A CALM recipient who makes a timely request for an administrative hearing shall receive CALM payments pending the appeal decision.

SEC. 20.116.3. IMPARTIAL HEARING OFFICER. The Executive Director shall designate as an impartial hearing officer a person who is not involved in the administration of the CALM Program.

SEC. 20.116.4. HEARING; HEARING RIGHTS. The applicant or recipient shall be advised in the Notice of Proposed Action of applicant's or recipient's rights to counsel or other representative, to review pertinent records and regulations at least five working days prior to the hearing, to present testimony and documentary evidence, to cross-examine all witnesses, to have the proceedings

tape-recorded, and to have a translator provided for the hearing if the applicant or recipient is not proficient in English.

SEC. 20.116.5. INFORMALITY, EVIDENCE, APPEARANCE AND COUNSEL. The hearing shall be conducted in an impartial and informal manner. All evidence shall be submitted under oath or affirmation. The hearing officer is not bound by the rules of evidence or procedures applicable to judicial proceedings. The applicant/recipient shall attend the hearing in person and may be represented by counsel or a representative. While the applicant/recipient may or may not be represented by counsel or a representative, the client must appear in order for the hearing to be held. However, where the applicant/recipient establishes good cause for non-attendance prior to the hearing under Section 20.107.6, counsel or a representative may appear on behalf of the applicant/recipient.

SEC. 20.116.6. HEARING DECISION. The hearing officer shall render a written decision within seven calendar days of the hearing indicating factual findings and grounds for the decision. Such decision shall be based solely upon evidence presented at the hearing and specifically state the facts upon which it was based, the authority relied upon and any other reasons for the decision. Such decision shall be mailed to the applicant or recipient.

SEC. 20.116.7. HEARING; FINALITY; EFFECT OF NONAPPEARANCE. (a) The result of all hearings are considered final and there is no further right of administrative appeal.

(b) When the applicant/recipient does not appear for the scheduled hearing, it is presumed that the applicant/recipient ceases to contest the decision. The withholding, decrease, denial, discontinuance, and/or recoupment of overpayments of assistance will, therefore, be effected. The applicant or recipient may, for good cause shown, make a written request, or oral request as specified in the Executive Director's regulations, for a second hearing within 15 days of the scheduled date for the first hearing.

Such request must specify the good cause for non-attendance at the first hearing. This provision is satisfied by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3) incarceration; (4) verified disability or (5) other good cause satisfactorily shown to the Executive Director.

SEC. 20.117. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENTS. The Department shall administer this program fairly to the end that all eligible persons who apply for assistance shall receive CALM promptly, with due consideration for the needs of the applicant/recipient and the safeguard of public funds. Overpayments of Medi-Cal shall be computed and collected in accordance with federal and state law and regulations regarding overpayments of Medi Cal benefits.

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MAY 27 1998
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(a) Any applicant for, or recipient or payee of, assistance under this Article shall be informed as to the provisions of eligibility and his or her responsibility for reporting facts material to a correct determination of eligibility, continuing eligibility and payment amount.

(b) Any applicant for, or recipient or payee of, assistance under this Article shall be responsible for reporting accurately and completely all facts required of him or her pursuant to Subdivision (a) and for reporting promptly any changes of those facts.

(c) Any person who makes full and complete disclosure of those facts as explained to him or her pursuant to Subdivision (a) is entitled to rely upon the payment amount as being accurate, and the warrant he or she receives as correctly reflecting the payment amount except as provided in Subdivisions (d), (e), (f).

(d) Overpayment due to administrative error or negligent failure to report facts required by this Article or department regulations may be recouped in accordance with the provisions of Section 20.102(q) governing recoupment in the absence of recipient fraud, until collected in full, following discovery of overpayment.

(e) Overpayment due to false statement or representation or by impersonation or other fraudulent device or by intentional failure to report facts required by this Article or department regulations shall be recouped in accordance with the provisions of Section 20.102(q) governing recoupment upon an administrative determination of recipient fraud, until collected in full, following discovery of

overpayment.

(f) Overpayment due to false statement or representation or by impersonation or other fraudulent device or by intentional failure to report facts as required by this Article or department regulations shall result in immediate discontinuance of assistance subject to the administrative hearing procedures in this Article. The case shall be referred to the Special Investigation Unit of the Department of Human Services. Any payments made under such circumstances shall be offset against any future payments as set forth in Section 20.102(q).

SEC. 20.118. FRAUD IN OBTAINING PAYMENTS. (a) The federal and state laws and regulations regarding "fraud" in the Medi-Cal program shall apply to receipt of Medi-Cal under this Article.

(b) With respect to fraud in obtaining CALM payments under this Article, whenever any person has, by means of false statement or representation or by impersonation or other fraudulent device, or by intentional failure to report facts required by this Article or department regulations, obtained payments under this Article, the matter shall be referred to the District Attorney's office for appropriate action.

Further, upon the first discontinuance of assistance within a twenty-four month period due to false statement or representation or by impersonation or other fraudulent device, or by intentional failure to report facts required by the Article or department regulations, an applicant or recipient shall be ineligible for

assistance for a period of thirty (30)days.

Upon the second such discontinuance within a twenty-four month period, the applicant or recipient shall be ineligible for assistance for a period of sixty (60) days.

Upon the third, or additional, such discontinuance within a twenty-four month period, the applicant or recipient shall be ineligible for assistance for a period of ninety (90) days.

SEC. 20.119. RECORDS; CONFIDENTIALITY. All CALM records shall be confidential. The Department shall allow disclosure of such records only to the extent that Medi-Cal records may be released pursuant to applicable federal and state Medi-Cal laws and regulations.

SEC. 20.120. RECORDS; DESTRUCTION OF. Destruction of records shall be governed by the applicable procedures under the Medi-Cal program.

SEC. 20.121. AUTHORITY TO TERMINATE THE PROGRAM. The Board of Supervisors of the City and County of San Francisco has complete discretion and authority to terminate CALM at any time, for any reason. In the event that CALM is terminated, all CALM applicants and recipients shall be eligible to apply for General Assistance, PAES or SSIP, whichever is applicable, in accordance with the rules and regulations of those programs.

SEC. 20.122. SEVERABILITY. If any part or provision of this Article, or the application thereof to any person or circumstance, is held invalid, the remainder of this Article, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Article are severable.

SEC. 20.123. LIMITED TO PROMOTION OF GENERAL WELFARE. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 20.124. OPERATIVE DATE. This Article is to become effective no sooner than June 1, 1998.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Virginia Dario Elizondo
Deputy City Attorney

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MAY 27 1998
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Board of Supervisors, San Francisco

Passed for First Reading	$	Finally Passed
	$	
April 20, 1998	$	April 27, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman	$	Brown Katz Kaufman Leno Medina
Medina Newsom Teng Yaki Yee	$	Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-97-70

MAY - 8 1998
Date Approved

Mayor

[PAES--Personal Assisted Employment Services]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING ARTICLE IX TO CHAPTER 20, ENCOMPASSING SECTIONS 20.70 TO 20.93, TO CREATE THE PERSONAL ASSISTED EMPLOYMENT SERVICES PROGRAM TO PROVIDE ASSISTANCE IN OBTAINING PAID EMPLOYMENT AND A CASH STIPEND FOR INDIGENT ADULT RESIDENTS OF SAN FRANCISCO.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 20 of the San Francisco Administrative Code is hereby amended by adding Article IX, to Chapter 20, encompassing Sections 20.70 to 20.93, to read as follows:

ARTICLE IX

SEC. 20.70. TITLE. This Article shall be known as "Personal Assisted Employment Services Program" (PAES).

SEC. 20.71. PURPOSE. The purposes of this program are: (1) to provide quality evaluation of vocational experience, qualifications, strengths and needs; and (2) to provide the participant with the supportive services and activities necessary to assist her/him in obtaining paid employment.

SEC. 20.72. DEFINITIONS. For the purposes of this Article:

(a) "applicant" means a person who is in the process of applying for assistance under this Article.

(b) "assistance" means services and/or cash payments.

(c) "CALM" means the Cash Assistance Linked to Medi-Cal Program as set forth under Article X of this Chapter.

(d) "CalWORKs" means the California Work Opportunity and Responsibility to Kids as defined in Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code or any successor program.

(e) "decrease" means any reduction in a participant's current cash stipend amount under this Article.

(f) "denial" means a determination, based on an PAES application, that the applicant is not eligible for PAES.

(g) "Department" means the Department of Human Services.

(h) "discontinuance" means the termination of a person's assistance.

(i) "electronic benefit transfer" means a method of transferring benefits through a centralized computer system so that an applicant/participant may obtain her/his benefits at facilities such as automated teller machines (ATM) and point-of-sale (POS) terminals using an access device such as a magnetic stripe plastic card. "Electronic benefit transfer" includes direct deposits.

(j) "Executive Director" means the Executive Director of the Department of Human Services.

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MAY 27 1998
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(k) "Family Budget Unit" means an eligible applicant/participant and her/his spouse or "domestic partner," as defined under Section 62.2 of the San Francisco Administrative Code, and/or any of the applicant/participant's children who are under age 18, living with, and applying for PAES with, such applicant/participant, provided that such child(ren) was(were) never eligible for TANF/CalWORKs.

(l) "General Assistance" means the General Assistance Program as set forth under Article VII of this Chapter of the San Francisco Administrative Code (S.F. Adm. C. §§20.55, et seq.).

(m) "job search" shall include, but is not limited to, (1) sending applications, resumes, and cover letters to apply for available positions for which the participant meets the minimum qualifications, with copies of these documents and the telephone number of the prospective employer provided to the Department of Human Services so they can be verified; and (2) participation by a union member in union hiring hall programs that make use of telephone job searches for currently available positions.

(n) The word "may" means the provision is permissive.

(o) "Medi-Cal" means the Medi-Cal Program as set forth in California Welfare & Institutions Code §§ 14000 et seq.

(p) "participant" means a person who is receiving assistance under this Article.

(q) "recoupment" means the collection of past overpayments under the PAES Program by deducting from current payments not more

than 10 percent of the current stipend amount absent an administrative determination of participant fraud and not more than 40 percent with an administrative determination of participant fraud and an administrative evaluation of the participant's current ability to make repayments.

(r) "residing in an institution" shall mean that the applicant/recipient is staying in a facility that provides housing and three meals a day.

(s) The word "shall" means the provision is mandatory.

(t) "SSA" means the Social Security Administration.

(u) "SSI" means Supplemental Security Income.

(v) "SSIP" means the Supplemental Security Income Pending Program as set forth under Article XI of this Chapter.

(w) "State" means the State of California.

(x) "SSI/SSP" means Supplemental Security Income/State Supplementary Program for the Aged, Blind, and Disabled as defined in the Welfare and Institutions Code Section 12000, et seq.

(y) "TANF" means Temporary Assistance to Needy Families as defined in Part A (commencing with section 601) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code.

(z) The word "withholding" means the retention of stipends.

SEC. 20.73. PRINCIPLES. Assistance is to be administered in a manner which is consistent with the purposes of this program and which respects individual privacy and personal dignity:

(a) PAES is to be administered promptly and humanely, without discrimination on account of race, sex, sexual orientation, religion or political affiliation.

(b) PAES is to administered so as to encourage self-respect, self-reliance and the desire to be a good citizen, useful to the community.

(c) PAES is to be administered with courtesy, consideration and respect and without attempting to elicit any unnecessary information.

(d) Duties should be performed in such a manner as to secure for every applicant or participant the assistance to which s/he is eligible.

(e) There is to be no question, inquiry or recommendation relating to the political or religious opinions or affiliations of any applicant or participant.

(f) PAES is to be administered in the most cost-effective manner possible.

SEC. 20.74. ADMINISTRATION. (a) This program shall be administered by the Department of Human Services. The Executive Director shall establish rules and regulations for the proper administration of this Article.

(b) In actual emergencies, the Executive Director of the Department of Human Services may make exceptions to this Article pending action by the Board of Supervisors. Such emergency exceptions

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shall be reported to the Board of Supervisors within five working days.

SEC. 20.75. ELIGIBILITY. (a) The services necessary to assist a participant in obtaining paid employment, and a cash stipend shall be available to indigent San Francisco adult residents who make a commitment to develop and carry out a PAES Plan.

(b) Individuals serving a sanction under the General Assistance Program are not eligible to participate in PAES until that sanction period is completed, and any receipt of General Assistance benefits has been terminated. Additionally, an individual serving a sanction for fraud under any county funded indigent assistance program under this Chapter is ineligible to receive PAES until that sanction period is completed.

(c) All applicants/participants, and all members of the Family Budget Unit, are required to apply for, and pursue receipt of payment(s) from any and all Federal, State, and/or private means of assistance for which they may be eligible as directed by the Department. This includes, but is not limited to: (1) Unemployment Insurance Benefits; (2) Worker's Compensation Insurance; (3) SSI; (4) retirement benefits, (5) any other insurance or disability payments. Failure to apply for, and pursue receipt of, any such assistance to which an applicant/participant, or any member of the Family Budget Unit, may be eligible shall be considered to be a failure to meet continuing eligibility requirements of this Article.

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(d) Individuals residing in an institution are not eligible to receive assistance under this Article.

(e) Applicants may be required to attend group orientation session(s), and failure to do so shall be grounds for denial of assistance.

SEC. 20.75.1. RESIDENCY REQUIREMENT. (a) Verified residency in the City and County of San Francisco for thirty (30) continuous days, prior to the time of application, is a requirement of eligibility for PAES. Residency in the City and County of San Francisco is established by physical presence and intent to reside in the City and County of San Francisco, which is satisfactorily substantiated by the applicant or participant.

(b) Eligibility for PAES will terminate immediately upon abandonment of residency in the City and County San Francisco.

SEC. 20.75.2. PRORATION OF SALARY OF FULL-TIME CERTIFIED EMPLOYEE OF SCHOOL DISTRICT, UNIVERSITIES, COMMUNITY COLLEGES OVER A TWELVE-MONTH PERIOD. The salary of a full-time certified employee of a school district, private school, community college, or university shall be prorated over a 12-month period for the purpose of determining eligibility for assistance under this Article.

SEC. 20.75.3. PRORATION OF INCOME OVER CONTRACT PERIOD. The income of any person under a contract of employment on an annual

basis who works and receives income from such contract in fewer than 12 months, but more than eight months, shall be prorated over the period of the contract for the purposes of this Article.

SEC. 20.75.4. PRORATION OF INCOME OF SELF-EMPLOYED AND FREE-LANCE WORKER OVER A TWELVE-MONTH PERIOD. The income of any self-employed person or free-lance worker shall be prorated over a 12-month period for the purpose of determining eligibility for assistance under this Article.

SEC. 20.75.5. PROPRIETOR OF BUSINESS INELIGIBLE. Proprietors of businesses who employ other workers are ineligible for assistance under this Article.

SEC. 20.75.6. REBUTTABLE PRESUMPTION OF INELIGIBILITY -- STUDENTS. Status as a student shall create a rebuttable presumption that such person is unavailable for, or unable to enter into, a PAES Participant Agreement and a PAES Plan in order to obtain paid employment within the time limits specified in this Article. This presumption may be rebutted by entering into a PAES Participant Agreement and/or a PAES Plan, in which the applicant/participant agrees to a course of study that: (1) will lead to paid employment within the time limits specified in this Article; and (2) does not prevent the applicant/participant from complying with the other

components of the PAES Agreement and /or PAES Plan according to the specified time frame(s).

SEC. 20.75.7. REBUTTABLE PRESUMPTION OF INELIGIBILITY – CURRENT INCOME OR EXPENSES. Verified paid income or expenses which exceed the otherwise eligible applicant/recipient's total monthly income and/or assets during month of application or a current month of eligibility shall create a rebuttable presumption of ineligibility for a PAES stipend.

SEC. 20.75.8. ALLOWABLE REAL PROPERTY. (a) The applicant shall transfer or grant to the City and County of San Francisco any interest which the applicant has in any real property as security for the funds expended for PAES.

(b) An applicant or participant of PAES may retain real property used as her/his home, provided that the applicant's or participant's net monthly housing expense does not exceed the otherwise eligible applicant/participant's total monthly income and/or assets.

SEC. 20.75.9. ALLOWABLE PERSONAL PROPERTY. No assistance under this Article shall be expended for any person who has not exhausted all assets and resources available to such person, except for those personal properties listed below:

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(a) Cash assets, savings and/or checking accounts, the total of which does not exceed the current monthly maximum stipend available to a single individual under this Article. Any combination of these assets that exceeds the monthly maximum stipend available to a single individual under this Article shall be offset against the participant's stipend on a dollar-for-dollar basis. If the applicant is transitioning from the General Assistance Program, SSIP or CALM and has been participating in the Earned Income and Asset Disregard Program within the three months prior to application for PAES, such applicant may retain a total of up to two thousand dollars ($2,000) in savings. If the applicant is transitioning from SSI to PAES, the applicant may retain a total of up to two thousand dollars ($2,000) in savings;

(b) Personal effects, exclusive of luxury jewelry;

(c) Household furnishings;

(d) Tools, trade equipment and fixtures used in the individual's regular trade or work;

(e) Insurance policies or funds placed in trust for the provision of interment or for funeral expenses to the extent of not more than $600 per family;

(f) An interment plot for use by members of the applicant's or participant's family;

(g) A vehicle with cash value of less than $4,650.

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SEC. 20.75.10. EXEMPT INCOME OR RESOURCES. For the purpose of this Article:

(a) Personal property, income or resources shall not include income from relocation payments to participant's receiving assistance under this Article being displaced by a redevelopment agency.

(b) Retirement benefits may be retained upon determination by the Executive Director or her/his designee that the applicant or participant will be reemployed in the near future and that such employment is contingent upon the retirement fund not being withdrawn.

(c) Any verified loans made to a participant, or to an applicant in the month of application, or one month immediately prior to application, for the purpose of enabling that participant or applicant to pay her/his rent, or for the purpose of payment of first and last month's rent and any lawful rental deposit, shall not be considered income or resources available to that participant or applicant.

(d) Income tax refunds, including the Earned Income Tax Credit (EITC), issued to the applicant or participant shall not be considered as income or resources available to the applicant or participant.

(e) Payments made to the applicant or participant under the Foster Care or FSET/GATES programs shall not be considered as income or resources available to the applicant or participant.

(f) SSI/SSP benefits and resources of a member of the PAES family shall not be considered as income or resources available to the applicant or recipient.

(g) The portion of any student grants or loans that is paid directly to the educational institution for tuition, and/or fees, and/or books.

SEC. 20.75.11. EXEMPTION FOR TERMINAL ILLNESS. Terminally ill applicants with medical verification that such applicant has a remaining life expectancy of six months or less are exempt from:

(a) Providing documentation of legal status in the United States;

(b) The provisions of this Article regarding the cash value of a vehicle, provided that the applicant can demonstrate that such vehicle is necessary to transport the applicant to and from medical treatment, and that he or she is physically and/or mentally unable to use public transportation;

(c) The provisions of this Article regarding the requirement to obtain and present any photo identification.

Such applicants shall meet all other eligibility requirements.

There shall be no time limit to the duration of eligibility for PAES authorized under this Section.

SEC. 20.75.12. INELIGIBILITY OF INDIVIDUALS WHO ARE MEMBERS OF A CALWORKS ASSISTANCE UNIT. (a) Any individual who is a member of an assistance unit receiving aid under Chapter 2 (commencing with Section 11200) of Part 3 of the California Welfare & Institutions Code (CalWORKs), shall not be eligible for PAES under this Article if

the individual has been determined ineligible for CalWORKs pursuant to Welfare & Institutions Code Section 11251.3.

(b) Any individual who is not eligible for aid under CalWORKs pursuant to Welfare and Institutions Code Section 11454(b) shall not be eligible for PAES until all of the children of the individual on whose behalf aid was received, and who live in the home with the individual, are 18 years of age or older.

(c) Any individual who is receiving aid under CalWORKs on behalf of an eligible child, but who is either ineligible for aid or whose needs are not otherwise taken into account in determining the amount of aid to the family pursuant to Section 11450 of the Welfare and Institutions Code due to the imposition of a sanction or penalty, shall not be eligible for aid or assistance under this part.

(d) The Executive Director, in her/his sole discretion may grant an exception to this section.

SEC. 20.75.13. INELIGIBILITY OF FLEEING FELONS. (a) An individual shall not be eligible for PAES if he or she is: Fleeing to avoid prosecution, or custody and confinement after conviction, under the laws of the place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual is fleeing, or which, in

the case of the State of New Jersey, is a high misdemeanor under the laws of that state.

(b) Subdivision (a) shall not apply with respect to conduct of an individual for any month beginning after the President of the United States grants a pardon with respect to the conduct.

SEC. 20.75.14. PHOTO IDENTIFICATION. (a) Each applicant shall present proof of identity and a verifiable social security number. Only the following photo identification shall be accepted:

(1) California Department of Motor Vehicles Driver's License.

(2) California Department of Motor Vehicles Identification Card.

(3) Current United States Passport provided that such Passport contains a photo taken of applicant/participant when s/he was at least 18 years of age.

(4) Current Immigration and Naturalization identification, provided that such identification contains a photo which was taken of the applicant/participant when s/he was at least 18 years of age and was taken within ten years prior to the date of application of the applicant/participant.

(b) In addition, the Department may require applicants and participants to obtain and present Department-issued identification.

SEC. 20.75.15. FINGERPRINT INFORMATION. All applicants for, and participants in, PAES shall be fingerprinted at the Department or at a Department-approved facility in accordance with procedures

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MAY 27 1998
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established by the Executive Director. These records shall be used exclusively to prevent multiple payments under this Article or any other Federal, State or County assistance program. The Executive Director is authorized to create, by regulation, exemptions from this requirement based on physical or mental disability. The refusal of an applicant or participant to comply with the fingerprint procedures shall be grounds for denial of, or discontinuance from, PAES.

Fingerprints gathered under this section are subject to all applicable federal and state laws governing the confidentiality of information regarding applicants for, or participants of, public benefits.

SEC. 20.75.16. REIMBURSEMENT AGREEMENT. All applicants for PAES shall sign an Interim Assistance Reimbursement Agreement, in the event that the applicant/participant is subsequently awarded SSI.

SEC. 20.75.17. LABOR DISPUTE. Unemployment due to a bona fide strike, lockout, or other labor dispute shall not effect eligibility provided that the applicant meets all other eligibility requirements.

SEC. 20.76. PAES STIPENDS. (a) For each eligible individual or for each eligible Family Budget Unit of two or more persons who qualify for stipends under this Article, the maximum monthly stipend amount which participants shall receive is listed below.

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MAXIMUM PAES STIPEND AMOUNT

Single Individual	$345
Number of Eligible Persons in Same Family	
2 Persons	$567
3 Persons	$703
4 Persons	$834
5 Persons	$952
6 Persons	$1070
7 Persons	$1175
8 Persons	$1281
9 Persons	$1388
10 Persons	$1508

In the case of more than 10 persons in a Family Budget Unit, an additional $25 each month shall be paid for each additional person in the Family Budget Unit. For Family Budget Units in which members receive cash payments from more than one Federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the aid payment for a Family Budget Unit of the same size within each program to which each member is eligible.

(b) the maximum monthly PAES stipend for which an applicant is eligible shall be the maximum monthly PAES stipend prorated as the eligibility determination date, minus any non-exempt cash available to the applicant during that calendar month, and minus the fair market value of any nonexempt persona property available to the

applicant during that calendar month. A rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized to prevent eviction from existing housing.

(c) The maximum monthly PAES stipend for which a participant is eligible shall be the maximum PAES stipend less any non-exempt cash received from sources other than PAES which is available to the participant during the month for which the stipend is paid, and less the fair market value of any nonexempt personal property which is, or will be, available to the participant during the month for which the stipend is paid.

(d) No PAES stipend shall be issued for less than $5.00.

(e) PAES assistance and stipends may be provided in the form of vouchers, checks, two-party checks, warrants, electronic benefit transfers, in-kind benefits, and/or through third party contracts.

(f) PAES stipends may be made payable only to the participant or, upon the participant's written authorization, to the participant and a designated co-payee, or to a representative payee.

(g) PAES stipends may be mailed directly to the participant or to the designated representative payee. PAES stipends may be made by electronic benefits transfer. PAES stipends may be picked up at a location designated by the Department. PAES stipends shall not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.

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(h) The Maximum PAES Stipend Amounts listed in Section 20.206(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.

(i) Participants may be provided with assistance, as specified in subsection (e) above, to help pay, in full or in part, ancillary work-related expenses.

SEC. 20.76.1. MUNICIPAL RAILWAY FAST PASS. Participants may be provided a Municipal Railway Fast Pass, Municipal Railway tokens, or other transportation assistance when such transportation is necessary to assist the participant in complying with the requirements of this Article. Such assistance shall be in addition to any stipend to which a participant is eligible.

SEC. 20.76.2. EARNED INCOME DISREGARD. (a) The Executive Director of the Department of Human Services may establish an Earned Income and Asset Disregard Program for participants who are employed. The Earned Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income that a participant earns as wages and savings derived therefrom when determining a participant's PAES eligibility and stipend amount.

(b) The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first $200 of

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MAY 27 1998
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participant gross wage earnings; (2) two-thirds of the next $150 of participant gross wage earnings; (3) one half of the next $150 of participant gross wage earnings; (4) one third of the next $150 of participant gross wage earnings; and (5) one fifth of the next $150 of participant gross wage earnings. All participant gross wage earnings above $800 shall be offset on a dollar-for-dollar basis against the stipend amount to which a participant would otherwise be entitled.

(c) In addition, for participants in this program, up to $2,000 of participant savings derived from the participant's gross wage earnings shall be disregarded during the individual participant's participation in this program and for up to three months thereafter.

(d) If, as a result of retrospective budgeting, a participant's total currently available financial resources in a month including her/his adjusted PAES stipend, wages, and savings are less than the maximum PAES stipend amount, the participant shall be eligible for a stipend supplement in the form of a rental expense voucher for unpaid rent in that month and up to $50 in cash so that the participant's currently available financial resources may total up to the maximum PAES stipend amount. This stipend supplement is available a maximum of three times per year for program participants and is not available to participants who quit a job without good cause.

(e) Participant gross wage earnings are defined for purposes of this Section as any income received by the participant as payment for a participant's labor. All other participant income and assets shall

continue to be offset on a dollar-for-dollar basis when calculating the stipend amount to which a participant is otherwise eligible. For individuals participating in this program, the PAES stipend amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the participant's receipt of wage income. Verified expenses that exceed the total sum of a participant's stipend, wages, and savings in any given month create a rebuttable presumption of ineligibility for assistance.

SEC. 20.76.3. HOUSING. (a) There shall be no reduction in the PAES stipend an applicant/participant receives because s/he shares housing with others who are not members of the applicant's/participant's Family Budget Unit as defined under this Article. Where an applicant/participant obtains rent free housing, such housing shall be valued according to Value of Income-in-Kind Chart set forth under Title 22 of the California Code of Regulations, § 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the rent free housing, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly stipend amount. In addition, all applicants/participants shall be required to present a verifiable rent receipt. If the applicant/participant is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/participant's place of residence and share of housing costs.

(b) Verified payments made directly to a housing provider on behalf of an applicant/participant for the entire amount of the rent and/or utilities, or rent free housing, or housing received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart and that value shall be deducted from the maximum monthly stipend to which that applicant/participant is eligible.

(c) Nothing in this Section shall be construed as requiring an otherwise eligible applicant/participant to accept housing in a facility which is either the subject of a pending nuisance abatement proceeding before a duly authorized agency or department of the City and County or before a court of competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a duly authorized agency or department of the City and County or by a court of competent jurisdiction and which nuisance has not been abated.

SEC. 20.76.4. ALTERNATIVE PAYMENT METHODS; DIRECT PAYMENTS TO ROOM AND BOARD FACILITIES PERMITTED. In addition to the emergency aid provisions of this Article, payment for room, food expense, or both, up to the maximum PAES stipend amount, may at the applicant's/participant's option, be paid directly to any board and/or care facility should the applicant/participant choose to reside, take her/his meals or have full room and board privileges at such facilities. The Executive Director may initiate such a program

or payment arrangement, on either a pilot or continuing basis, by putting into effect the appropriate regulations.

SEC. 20.76.5 SPECIAL ALLOWANCES; TRANSPORTATION OUT OF THE CITY. (a) The Department of Human Services may provide transportation and maintenance en route to a place out of the City and County where the applicant/participant will be cared for or her/his interests best served, provided the applicant/participant, but for fully meeting the residency requirement, is otherwise eligible and voluntarily enters into a signed contractual agreement regarding such transportation with the City and County of San Francisco. Said agreement shall contain a repayment provision permitting recoupment of the amount expended in providing such transportation at a rate not to exceed 10 percent of each stipend amount should the person provided transportation thereafter reapply and become eligible for PAES

(b) Transportation under this Section shall be provided by the least expensive means available.

SEC. 20.76.6. EMPLOYER WAGE SUBSIDY - PAES PROGRAM. (a) **Findings.** The Board of Supervisors in adopting this ordinance finds that providing the authority for the Department of Human Services to establish a wage subsidy program as defined herein will promote the permanent employment of PAES participants.

(b) **Employer Wage Subsidy - Defined.** For the purposes of this Section, "employer wage subsidy" means a payment from revenues

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appropriated for a PAES participant to an employer for a PAES participant who becomes employed through this program and is employed for at least 26 weeks and earns a minimum of $800 per month in gross wage earnings,

(c) **Wage Subsidy – Payment Schedule.** A wage subsidy payment shall only be issued to an employer by the Department of Human Services upon receipt of documentation of gross wage earnings paid to a participant of the program by the employer for the first 26 weeks of employment, except when the payment of a wage subsidy in two installments is approved by the Executive Director. A wage subsidy payment issued to an employer in two installments shall only be issued by the Department of Human Services upon receipt of documentation of gross wage earnings paid to the participant by the employer for 13 consecutive weeks of employment and the second payment shall only be issued upon receipt of documentation of gross wage earnings paid to the same participant by the employer for an additional 13 consecutive weeks of employment.

(d) **Amount of Subsidy.** The employer wage subsidy shall not exceed an amount that is 14 percent of the participant's monthly gross wage earnings and shall not exceed in any month the maximum amount of a PAES stipend for which the participant would otherwise be eligible. A wage subsidy shall not be paid to an employer for more than the first 26 weeks of employment. Participant "gross wage earnings" are defined for purposes of this Section as income received by the participant as payment for the participant's labor.

(e) **Authority.** The Department of Human Services may utilize an employer wage subsidy to encourage employers to hire qualified PAES participants as full-time employees. The Department shall make reasonable efforts to coordinate with community agencies that provide job search services to implement these provisions.

(f) **Program Administration.** Prior to the Department's implementation of this authority, the Executive Director shall establish procedures and regulations for the proper administration of this authority. The regulations shall include a prohibition against the payment of a subsidy under this program for placing PAES participants in positions in which they would be replacing striking employees.

(g) **Report.** The Executive Director of the Department of Human Services shall report to the Human Services Commission about the results of the Department's implementation of the program one year from the effective date of this ordinance, and annually thereafter.

SEC. 20.77. CONTINUING ELIGIBILITY. (a) Persons who meet the requirements for eligibility for PAES shall receive cash stipends pursuant to this Article. Participants are required to comply with all applicable provisions of this Article and the regulations promulgated thereunder. Participants who fail to comply with applicable provisions of this Article and the regulations promulgated thereunder without good cause may have their aid withheld and/or decreased and/or discontinued as set forth in Department regulations.

(b) No withholding, decrease, or discontinuance of aid shall occur unless the person to be affected has been advised of the possibility of such action by means of a Notice of Proposed Action and has been afforded the opportunity for a hearing to dispute the proposed action.

SEC. 20.77.1. PARTICIPANT AGREEMENT. (a) Participants in PAES must enter into a written Participant Agreement which outlines the first phase of PAES activities with which the participant must comply. Such activities may include, but are not limited to: (1)supported work experience; and/or (2)job search; and/or (3)group sessions or activities; and/or (4)any other appropriate activity, as determined by the Department, that leads to preparation of the PAES Plan; and (5)keeping an appointment to establish a PAES Plan upon the notification of the date and time of such an appointment. Any combination of activities in the Participant Agreement shall not require more than 20 hours per week of participant commitment in order to maintain compliance.

(b) Participants who provide verification of a temporary physical or mental condition which prevents them from complying with the Participant Agreement as specified above may: (1)be temporarily exempted from those requirements, or (2)be required to participate in any appropriate activity that is likely to remedy the temporary physical or mental condition and lead to preparation of the PAES Plan.

(c) Failure to comply with the Participant Agreement shall be considered failure to meet continuing eligibility requirements. Such failure shall result in discontinuance from PAES, subject to the notice and administrative hearing provisions of this Article, and the imposition of a sixty (60) day sanction. Failure to comply with the Participant Agreement is not subject to the Conciliation For PAES Plan Noncompliance provisions of this Article.

SEC. 20.77.2. PAES PLAN. (a) On the date set in the Participant Agreement, participants in PAES must enter into a written PAES Plan that sets forth the activities and services that will assist the participant in obtaining paid employment. This plan shall be signed by the participant and the Department.

(b) This plan will include an evaluation of the participant's: (1)education; (2)employment history; (3)employment skills; (4)employment goals; (5)barriers to achieving those goals; (6)services necessary to remove those barriers; (7)participant tasks necessary to remove those barriers; and (8)the time frame in which services will be provided, and participant tasks will be completed. The activities set forth in the PAES plan may be performed concurrently or sequentially, as determined within the context of the plan.

(c) Compliance with all components of the PAES Plan, absent a determination of good cause for failure to so comply, is mandatory in order to continue to receive PAES services and the stipend. Such

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MAY 27 1998
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failure shall result in discontinuance from PAES, subject to the notice, conciliation, and administrative hearing provisions of this Article, and the imposition of a ninety (90) day sanction.

SEC. 20.77.3. SANCTIONS. (a) Failure to meet continuing eligibility requirements, absent a showing of good cause, other than compliance with the PAES Plan, shall result in the imposition of a sixty (60)day sanction.

(b) Failure to comply with all the components of the PAES Plan shall result in the imposition of a ninety (90) day sanction.

(c) Time spent serving PAES sanctions shall not apply in computing the time limit for PAES services specified in this Article.

SEC. 20.77.4. CONCILIATION FOR PAES PLAN NONCOMPLIANCE. (a) Thirty (30) calendar days prior to the imposition of a sanction for failure, without good cause, to comply with any of the elements of the PAES plan, the Department shall issue a notice of PAES Plan Noncompliance.

(b) This notice shall inform the participant of: (1) the alleged instance(s), including date(s), of noncompliance with specific reference to the component(s) of the plan; (2) the date that the sanction will be imposed, and (3) shall instruct the participant to attend an appointment with the Department within twenty (20) mail delivery days of the notice, or to contact the Department by telephone within twenty (20) mail delivery days.

(c) In order to avoid imposition of the sanction, the participant must either: (1) demonstrate good cause for failure(s) to comply with any component(s) of the PAES plan; or (2) agree to a conciliation plan to correct the specific compliance failure(s).

(d) Failure by the participant to respond to (1) the Notice of Noncompliance, or (2) demonstrate good cause, or (3) agree to a conciliation plan shall result in discontinuance from PAES, and the imposition of a sanction. Such a discontinuance is subject to the notice and hearing provisions of this Article.

SEC. 20.77.5. GOOD CAUSE. For purposes of this Article, where a participant is required to show "good cause" for not meeting one of her/his obligations or duties under this Article, good cause may be shown by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3) verified incarceration; (4) verified disability; or other good cause satisfactorily demonstrated to the Executive Director.

SEC. 20.78. TIMING OF PAES STIPENDS. (a) Emergency Assistance. The Department may provide emergency assistance. The Executive Director of the Department of Human Services is authorized to contract with social service agencies for the provision of emergency assistance.

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(b) Normal Payment Periods. The Executive Director is authorized to establish normal payment periods of either twice monthly or once monthly.

SEC. 20.79. TIME LIMITS. (a) This program shall be limited to 27-months total lifetime of services. A participant may continue to receive an additional six months of services if the Executive Director determines that specific activities would be likely to lead to employment. However, there shall be no time limit as to receipt of the maximum monthly stipend for which a participant is eligible as long as that participant continues to meet all PAES program requirements.

(b) If at any time during the implementation of a participant's PAES Plan, the identified services necessary to remove the barriers to achieving employment goals are not available through no fault of the participant, the 27-month time limit, as set forth in subsection (a) above, will be stayed for the same amount of time such services are not available.

SEC. 20.80. IMMEDIATE TERMINATION OF ELIGIBILITY. Occurrence of the following events shall result in the immediate termination of eligibility for assistance under this Article: (1) receipt of SSI payments; (2) death of the participant; (3) applicant/participant request; (4) abandonment of county residency; or (5) institutionalization. Discontinuance of assistance due to the death

of the participant, or at the request of the applicant/participant is subject to the notice provisions of Section 20.85(a); however, such discontinuances do not require ten (10) calendar day prior notice as specified in Section 20.85(b). All other discontinuances under this Section do require ten (10) calendar day prior notice as specified in Section 20.85(b).

SEC. 20.81. CHANGES IN PAES STIPENDS. (a) Changes in stipends shall be made when a PAES participant becomes eligible for a stipend in a different amount because of altered circumstances.

(b) A change in stipend shall be made effective with the next regular pay date following knowledge by the worker of circumstances warranting a change in stipend, in conformance with the notice and hearing requirements of this Article.

SEC. 20.82. LOST, FORGED OR STOLEN WARRANTS AND LOST OR STOLEN WARRANT PROCEEDS. (a) Lost, forged, or stolen warrants may be replaced only in accordance with specific procedures adopted by the Department.

(b) If a warrant has been cashed by the participant and the money lost or stolen, no replacement of the warrant or issuance of orders shall be permitted.

SEC. 20.83. INELIGIBILITY FOR GENERAL ASSISTANCE, CALM, SSIP OR OTHER COUNTY-FUNDED ASSISTANCE. Participants of PAES are not

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eligible for General Assistance, CALM, SSIP or any other county-funded cash assistance programs.

SEC. 20.84. FAIR ADMINISTRATION; DISCLOSURES; OVERPAYMENT. The Department shall administer this program fairly to the end that all eligible persons who apply for assistance shall receive stipends promptly, with due consideration for the needs of the applicant/participant and the safeguard of public funds.

(a) Any applicant for, or participant or payee of, stipends under this Article shall be informed as to the provisions of eligibility and his or her responsibility for reporting facts material to a correct determination of eligibility, continuing eligibility and stipend amount.

(b) Any applicant for, or participant or payee of, stipends under this Article shall be responsible for reporting accurately and completely all facts required of him or her pursuant to Subdivision (a) and for reporting promptly any changes of those facts.

(c) Any person who makes full and complete disclosure of those facts as explained to him or her pursuant to Subdivision (a) is entitled to rely upon the stipend paid as being accurate, and the warrant he or she receives as correctly reflecting the stipend award except as provided in Subdivisions (d), (e), (f).

(d) Overpayment due to administrative error or negligent failure to report facts required by this Article or department regulations may be recouped in accordance with the provisions of

Section 20.72(q) governing recoupment in the absence of participant fraud, until collected in full, following discovery of overpayment.

(e) Overpayment due to false statement or representation or by impersonation or other fraudulent device or by intentional failure to report facts required by this Article or department regulations shall be recouped in accordance with the provisions of Section 20.72(q) governing recoupment upon an administrative determination of participant fraud, until collected in full, following discovery of overpayment.

(f) Overpayment due to false statement or representation or by impersonation or other fraudulent device or by intentional failure to report facts as required by this Article or department regulations shall result in immediate discontinuance of the PAES stipend subject to the administrative hearing procedures under this Article. The case shall be referred to the Special Investigation Unit of the Department of Human Services. Any stipends paid under such circumstances shall be offset against any future stipends as set forth in Section 20.72(q).

SEC. 20.85. NOTICE OF PROPOSED ACTION. (a) The Department shall issue a Notice of Proposed Action whenever it intends to deny, withhold, decrease or discontinue PAES stipends. That notice shall state with reasonable particularity the legal and factual basis for the proposed action.

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(b) Proposed Notices of Action regarding withholding, reduction, or discontinuance from PAES shall be hand delivered or mailed at least ten (10) calendar days prior to the effective date of the proposed action.

SEC. 20.86. HEARINGS. (a) An applicant for, or a participant of PAES, may challenge any denial, withholding, decrease or discontinuance by requesting an administrative hearing.

(b) A request for an administrative hearing must be made to the Department within seven (7) calendar days of the date of hand-delivery of, or 10 calendar days from the date of mailing of the Notice of Proposed Action, or within three (3) work days of the effective date of the action. Hearing requests that are not made in accordance with the time requirements shall be denied unless the applicant or participant can establish good cause for failure to make a timely request.

SEC. 20.86.1. HEARING; NOTICE OF HEARING; WHEN HELD. (a) After a hearing has been requested, a time and place for the hearing shall be established. Notice shall be given to the applicant or participant indicating the day, date, time, and place of the hearing. In no event shall a hearing date be scheduled for a time less than five days after the Department's receipt of a request, unless the applicant makes a knowing and intelligent waiver of his or her right to a record review.

(b) Where an applicant for PAES is denied aid, a hearing shall be calendared within seven days of the date of the hearing request.

(c) All hearings shall be held within 30 calendar days of the request therefor.

SEC. 20.86.2. STIPEND PAID PENDING. A PAES participant who makes a timely request for an administrative hearing shall continue to receive her/his stipend pending the hearing decision.

SEC. 20.86.3. IMPARTIAL HEARING OFFICER. The Executive Director shall designate as an impartial hearing officer a person who is not involved in the administration of the PAES Program.

SEC. 20.86.4. HEARING; HEARING RIGHTS. The applicant or participant shall be advised in the Notice of Proposed Action of applicant's or participant's rights to counsel or other representative, to review pertinent records and regulations at least five working days prior to the hearing, to present testimony and documentary evidence, to cross-examine all witnesses, to have the proceedings tape-recorded, and to have a translator provided for the hearing if the applicant or participant is not proficient in English.

SEC. 20.86.5. INFORMALITY, EVIDENCE, APPEARANCE AND COUNSEL. The hearing shall be conducted in an impartial and informal manner. All evidence shall be submitted under oath or affirmation

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The hearing officer is not bound by the rules of evidence or procedures applicable to judicial proceedings. The applicant/participant shall attend the hearing in person and may be represented by counsel or a representative. While the applicant/participant may or may not be represented by counsel or a representative, the client must appear in order for the hearing to be held. However, where the applicant/participant establishes good cause for non-attendance prior to the hearing under Section 20.87.5, counsel or a representative may appear on behalf of the applicant/participant.

SEC. 20.86.6. HEARING DECISION. The hearing officer shall render a written decision within seven calendar days of the hearing indicating factual findings and grounds for the decision. Such decision shall be based solely upon evidence presented at the hearing and specifically state the facts upon which it was based, the authority relied upon and any other reasons for the decision. Such decision shall be mailed to the applicant or participant.

SEC. 20.86.7. HEARING; FINALITY; EFFECT OF NONAPPEARANCE. (a) The result of all hearings are considered final and there is no further right of administrative appeal.

(b) When the applicant/participant does not appear for the scheduled hearing, it is presumed that the applicant/participant ceases to contest the decision. The withholding, decrease, denial,

discontinuance, and/or recoupment of overpayments of aid will, therefore, be effected. The applicant or participant may, for good cause shown, make a written request, or oral request as specified in the Executive Director's regulations, for a second hearing within 15 days of the scheduled date for the first hearing.

Such request must specify the good cause for non-attendance at the first hearing. This provision is satisfied by evidence of any of the following: (1) verified hospitalization; (2) verified illness; (3) verified incarceration; (4) verified disability or (5) other good cause satisfactorily shown to the Executive Director.

SEC. 20.87. FRAUD IN OBTAINING STIPENDS. Whenever any person has, by means of false statement or representation or by impersonation or other fraudulent device, or by intentional failure to report facts required by this Article or department regulations, obtained stipends under this Article, the matter shall be referred to the District Attorney's office for appropriate action.

Further, upon the first discontinuance of stipend payments within a twenty-four month period due to false statement or representation or by impersonation or other fraudulent device, or by intentional failure to report facts required by the Article or department regulations, an applicant or participant shall be ineligible for stipends for a period of ninety (90) days.

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Upon the second such discontinuance within a twenty-four month period, the applicant or participant shall be ineligible for stipends for a period of one hundred and twenty (120) days.

Upon the third, or additional, such discontinuance within a twenty-four month period, the applicant or participant shall be ineligible for stipends for a period of one hundred and fifty (150) days.

SEC. 20.88. RECORDS; CONFIDENTIALITY. All PAES records shall be confidential and shall not be opened to examination or inspection except upon written waiver by the applicant/participant.

SEC. 20.89. RECORDS; DESTRUCTION OF. All inactive case records that are over five years old may be destroyed. All records involving closed PAES cases may be destroyed after five years.

SEC. 20.90. AUTHORITY TO TERMINATE THE PROGRAM. The Board of Supervisors of the City and County of San Francisco has complete discretion and authority to terminate PAES at any time, for any reason. In the event that PAES is terminated, all PAES applicants and participants shall be eligible to apply for General Assistance, SSIP, or CALM, whichever is applicable, in accordance with the rules and regulations of those programs.

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SEC. 20.91. SEVERABILITY. If any part or provision of this Article, or the application thereof to any person or circumstance, is held invalid, the remainder of this Article, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Article are severable.

SEC. 20.92. LIMITED TO PROMOTION OF GENERAL WELFARE. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. 20.93. OPERATIVE DATE. This Article is to become effective no sooner than June 1, 1998.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Virginia Dario Elizondo
Virginia Dario Elizondo
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for First Reading		Finally Passed
April 20, 1998		April 27, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee		Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Leno Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-97-71

MAY - 8 1998
Date Approved

Mayor

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